The American Political Science Review

BOARD OF EDITORS

E. S. Corwin, Princeton University
R. E. Cushman, Cornell University
Walter F. Dodd, Chicago, Illinois
Charles G. Fenwick, Bryn Mawr College
W. B. Munro, Harvard University
Frederic A. Ogg, University of Wisconsin
Thomas H. Reed, University of Michigan
W. W. Willoughby, Johns Hopkins University

John A. Fairlie, Managing Editor, University of Illinois

Vol. XVII NOVEMBER, 1923 No. 4

CONTENTS

The Political System of Imperial China	Harold S. Quigley	551
Growth of Presidential Government in Europe	Charles E. Martin	567
Guild Socialism and Pluralism	Ellen D. Ellis	584
Legislative Notes and Reviews	Walter F. Dodd	597
Reorganization in Pennsylvania	Clyde L. King	
Judicial Council in Ohio	Clarence D. Laylin	
Judicial Council in Oregon	James D. Barnett	
Foreign Governments and Politics	Frederic A. Ogg	612
International Status of the British Dominions	C. D. Allin	
Recent Articles in Foreign Periodicals		
News and Notes, Personal and Miscellaneous	Frederic A. Ogg	635
The Institute of Politics	Bruce Williams	
Book Reviews	A. C. Hanford	650
Recent Publications of Political Interest		
Books and Periodicals	Clarence A. Berdahl	697
Government Publications	Miles O. Price	719
Index to Volume XVII		727

(For list of Book Reviews, see second page of cover)

Published Quarterly by
The American Political Science Association

Reprinted with permission of The American Political Science Association

JOHNSON REPRINT CORPORATION
111 Fifth Avenue, New York, N. Y. 10003

JOHNSON REPRINT COMPANY LIMITED
Berkeley Square House, London, W. 1

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

REVIEWS OF BOOKS

Smith. Federalism in North America: A Comparative Study of Institutions in the United States and Canada. Quincy Wright. 650
MacDonald. Federal Subsidies to the States. Walter Thompson. 652
Malcolm and *Kalaw.* Philippine Government. W. W. Willoughby 654
Various Authors. Rational Basis of Legal Institutions. Floyd R. Mechem 655
Pound. Interpretation of Legal History. Walter F. Dodd 656
Berry. History of the Later Roman Empire, from the Death of Theodosius I to the Death of Justinian (A. D. 395 to 565). Robert P. Blake 658
Martin and *George.* Representative Modern Constitutions. Herbert F. Wright 659
Fujisawa. The Recent Aims and Political Development of Japan. Raymond Leslie Buell 660
Bau. The Open Door Doctrine in Relation to China. G. Nye Steiger 662
Yen. The Open Door Policy. G. Nye Steiger 662
Round Table Conferences of the Institute of Politics at its First Session, 1921. Quincy Wright 663
Ward and *Gooch,* eds. The Cambridge History of British Foreign Policy. W. L. Grant 664
Muir. Politics and Progress: A Survey of the Problems of To-day. Guy Vaughan Price 665
Moore. Parties and Party Leaders. James P. Richardson 667
Bowers. The Party Battles of the Jackson Period. P. O. Ray 668
Gammon. The Presidential Campaign of 1832. P. O. Ray 668
Alexander. Four Famous New Yorkers: The Political Careers of Cleveland, Platt, Hill and Roosevelt. Harold F. Gosnell 670
Thomson. Lords Lieutenants in the Sixteenth Century. E. P. Chase 672
Jenkinson. A Manual of Archive Administration. David Parker 674
Van Dyke. Catherine de Medicis. John Dickinson. 674
Dixon. The Racial History of Mankind. Frederick Starr 675
Brief Notices. A. C. Hanford 677

By arrangement with the original publishers, pages containing advertisements in the original edition have either been left blank in this reprint or entirely omitted.

Copyright, 1923, by The American Political Science Association

First reprinting, 1966, Johnson Reprint Corporation

Printed in the United States of America

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

The American Political Science Review

Vol. XVII NOVEMBER, 1923 No. 4

THE POLITICAL SYSTEM OF IMPERIAL CHINA

HAROLD SCOTT QUIGLEY

University of Minnesota

For more than two thousand years the government of China exhibited, in the main, the elements which characterized it when, in the reign of Ch'in Shih Huang Ti (221–209 B.C.), feudalism was abolished and a centralized system inaugurated. Through successive dynasties the changes introduced were in matters of detail. These facts admonish to unusual caution in the acceptance of the present system at its face value. "Republic," "president," "cabinet," "parliament," "courts," "democracy," —these are titles of Western institutions which continued to stand for the corresponding institutions in China when the latter were established upon the model of the former. Even in Western states the meaning of these terms varies, as does their application in actual government. It would be strange if a decade of republicanism in China had evolved a political organization which still remains largely an ideal among nations which have spent centuries of effort toward its attainment. New terms are applied more readily than old ways are altered. Different clothes may be a disguise, not a sure gauge of habitat or occupation. The more one strives to understand present political forces in China, the more is he driven to study the old régime.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Prior to 1911 China had never possessed a written constitution. The significance of the writings of her greatest sage, Confucius (551–499 B.C.), particularly of his work on public law entitled *The Spring and Autumn*,[1] has led Chinese authors to suggest that these writings may be regarded as China's constitution.[2] Certainly no other single moralist has been honored with such consistent application of his teachings in public affairs, and even today the principles of Confucius are the constant authority in political issues. *The Spring and Autumn* contained numerous rules for the organization of an ideal state as well as the principles which should guide rulers and their people in their mutual relations. It is hardly to be regarded, however, as other than an ideal system, comparable for public affairs to the great codes of observances and morals which other books of the nine "Classics" inculcate for private relationships. Confucius did not regard himself as an innovator, but rather as a compiler and interpreter of older customs. Yet his interpretation selected from the historical accounts, which were themselves very unreliable, such incidents as supported his own doctrines of how a state should be governed, thus creating an ideal type of organization which succeeding kings, emperors, viceroys and other officials referred to with infinite respect and the elements of which they sought to effectuate at such periods as they themselves were men of similar ideals.

The imperial constitution was, therefore, officially unwritten, consisting principally of precedents established by custom, some of which had been embodied in decrees just as in England customary law was incorporated, from time to time, in statutes. Very few mandates were professedly new. In view of the all-embracing influence exercised by the Confucian classics in all phases of Chinese existence, it would be a mistake not to recognize that their adoption and endorsement of an ancient precedent was its best guaranty of permanence. But the public law of China was

[1] Translation by Legge, *Chinese Classics*, Vol. V.

[2] Yen, H. L., *A Survey of Constitutional Development in China* (New York, 1911), p. 72; Cheng, S. G., *Modern China* (Oxford, 1919), p. 3; Tyau, M. T. Z., *China's New Constitution and International Problems* (Shanghai, 1918), pp. 3–6.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

at once narrower and wider in scope than the classics, as it must have been to provide for conditions unforeseen six centuries before Christ. Other religio-ethical systems, notably those of Taoism and Buddhism, left permanent evidences of their influence. The remainder of the body of fundamental legal principles upon which Chinese government, central, provincial and local, was based and operated, was secular in origin, the product of custom or official ordinance. The last-named category is preserved in the collected institutes of the various dynasties. In the ensuing paragraphs the political system discussed is that of the Manchu or Ch'ing dynasty, the last of the Imperial Houses, in principle and in general outline largely identical with the systems of earlier dynasties.

The Emperor was the "Son of Heaven," that is, he was God-appointed and God's viceroy. He received the reverence of his people both in life and death. Loyalty to the Emperor was the primary obligation taught by Confucius. All power in the state was his. Said the Emperor K'ang Hsi (1667–1722): "There is but one ruler, myself."[3] The Emperor's mouth was golden, his words were jade. Executive, legislative and judicial acts were of force only as expressions of his will. Frequently the opinion of his councillors was invited but their replies were merely advisory. An emperor designated his successor, usually from among his own sons but not necessarily according to primogeniture, made all appointments and was commander-in-chief of the army and navy. He was not, however, a despot, since his acts had to be conformable to traditions which protected his subjects against arbitrary treatment. The score of revolutions which overthrew old and set up new dynasties were not all protests of the people as a whole against corrupt or tyrannical sovereigns, but the idea was widespread that an evil ruler had exhausted the "Mandate of Heaven" and might legally be deposed. Imperial decrees through long usage became precedents binding upon succeeding occupants of the "Dragon Throne." Contemporary public opinion expressed itself through the advice of councillors

[3] Backhouse, E., and Bland, J. O. P., *Annals and Memoirs of the Court of Peking* (London, 1913), p. 248.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

and secretaries, but more particularly and freely through thousands of memorials sent in by local officials and private persons and by the official censors—opinion which the emperors invited and which they followed when it seemed advisable. Only an unusually strong emperor was able to assert his own authority in defiance of these several restraints. Not infrequently the actual authority was exercised by ministers, eunuchs or concubines. There was always the danger that even a well-intentioned emperor might adopt mistaken policies through too little contact with the world outside his palace walls and too large dependence upon the reports and advice of his immediate court circle. But there has never been in Chinese history any such complete and continued usurpation of power as was represented in the Japanese Shogunate.

Imperial China, like republican China, had in theory a unitary system of government but in practice the central government played a minor rôle in administration. It was a showy setting for the "Son of Heaven," a display of magnificence and apparent power such as the Chinese people believed necessary to give their nation "face" in the eyes of the foreign "barbarians." It is true that under the empire the sorry spectacle of provinces defying the central government, such as the republic today presents, did not occur. But the monarchy, whose unifying prestige prevented such centrifugal consequences of practical provincial autonomy, was, as Mayers' oft-quoted estimate stated: "arranged with the object rather of registering and checking the action of the various provincial administrations, than with that of assuming a direct initiative in the conduct of affairs. . . . The central government may be said to criticize rather than to control the action of the twenty-one provincial administrations, wielding, however, at all times, the power of immediate removal from his post of any official whose conduct may be found irregular or considered dangerous to the stability of the State."[4] The remoteness of the central government led to complete indifference, on the part of the mass of citizens, to its actions. As one man put

[4] Mayers, W. F., *The Chinese Government*, 3rd ed. (Shanghai, 1897), p. 12.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

the matter: "The Mandarins have to attend to affairs of state; they are paid for it. . . . We should be great fools to want to do political business for nothing."[5]

Two great councils, the "Grand Council" or "Council of State" and the "Grand Secretariate," formed the nucleus of central administration. The former ordinarily contained five members, the latter six. The Grand Council was created by the last dynasty, the Manchus, and became the superior of the two. It constituted the working privy council, its members being ministers at the head of administrative departments. Two were Manchus, two Chinese, while the president was one of the Manchu princes. Between 4:00 and 6:00 A.M. daily the Grand Council discussed affairs of state with the Emperor. The Grand Secretariate originated in the Ming dynasty, during which it was the actual privy council. As a council it was reduced under the Manchus to a court of archives, but membership in it, though conveying purely nominal functions, remained the highest honor within the reach of Chinese officials. Its members were evenly divided, three being Manchus, three Chinese. Frequently the two councils included the same members.

To carry on administration there were, prior to the changes in the nineteenth century, six departments or boards, called respectively the board of civil office, the board of revenue, the board of ceremonies, the board of war, the board of punishments, and the board of works. Each of these had two presidents, one by law a Manchu, the other Chinese; four vice-presidents, two Manchus, two Chinese; a supervisor, to act as a check upon the presidents, a number of honorary secretaries, active secretaries and clerks. All boards were subdivided into departments and these again divided into offices or bureaux. The board of civil office acted as the Emperor's agency in appointments, which it to a large degree controlled. The board of revenue received and expended the revenues of the central government. The board of ceremonies supervised the administration of the complicated system of ceremonial observances which affected every individual

[5] Smith, A. H., *Chinese Characteristics* (New York, 1894), p. 113.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

as well as the officials; education and the civil service examinations were in its charge; it conducted negotiations with Western powers. The board of war administered military affairs in the provinces but had no control over the Manchu army which was regulated from the imperial household.[6] The board of punishments was a sort of department of criminal justice, especially concerned with the wrong-doing of officials. The board of works constructed and repaired official buildings.

Outside the six boards but of great importance in the imperial administration were the Mongolian Superintendency, sometimes called the Colonial Office, the Han-lin College, the Court of Censors and the courts of revision. The affairs of the dependencies, as well as relations with Russia fell to the superintendency. The Han-lin College, or National Academy, was only incidentally a teaching institution; primarily it was an organized body of scholars who had taken high ranks in the literary examinations. From its membership were chosen the higher ranks of officials. One of its departments had charge of writing the dynastic annals and biographies. Its standards were high and its members were held in profound respect.

The Court of Censors was composed of fifty-six official critics assigned to various localities. They informed the Emperor on important matters of public welfare and were empowered to censure any official, including the Emperor, both for failure to observe the laws and to conduct his private affairs according to propriety. This body was one of the oldest of imperial institutions and its members, although they spoke individually, often exercised remarkable influence. Their post was not always a safe one; many forfeited their lives by straight-forward condemnation of evil living or cruelty; others committed suicide in unanswerable protest against departure from the ancestral customs.[7]

[6] Brief descriptions of the Manchu "Banner" organization are given by E. H. Parker, in *China*, 2nd ed. (New York, 1917), Ch. XIII, and by H. B. Morse, *The Trade and Administration of China*, rev. ed. (Shanghai, 1913), pp. 61–66.

[7] For an example of plain speaking which cost a Censor his life see Bland and Backhouse, *Annals and Memoirs*, pp. 68–72; see also the valedictory memorial of Wu K'o-tu to the Empress Dowager, T'zu Hsi, in Bland and Backhouse, *China under the Empress Dowager*, pp. 95–99.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

At other times the censorate became cowardly or corrupt and at such times not only did it fail to condemn vice but cast suspicion upon virtue. On the whole its influence was distinctly wholesome. In a country where official corruption and callous disregard of human life were supported by a universal reluctance to bring down disaster upon self and family unto many generations by accusing an official of criminal conduct, a free-speaking censorate was especially desirable.

It has already been indicated that the board of punishments was a judicial as well as an administrative organ. Judicial business was carried on by the administrative officials—in the modern sense there were no courts. China has a record of judicial administration as long as her history but her recognition of the advantages of a distinct hierarchy of judges is very recent. It has been suggested, on the basis of passages in the *Book of Records* and the *Book of Rites*, two of the Confucian classics, that an embryonic jury system may have existed a thousand years before the Christian era, but there is no evidence at present that the mythical embryo ever developed into an historical institution.[8] In addition to the board of punishments there were, in the central government, three important judicial agencies, the board of revenue, the grand court of revision and the commission of revision. Though no distinction was recognized between civil and criminal cases the board of revenue actually constituted a final court in all civil matters, such as the census, marriage and landed property. Of the three other central judicial agencies whose jurisdiction was criminal, the board of punishments was an appellate court in all cases, and might hear originally and give a final decision in cases not involving the death penalty. The grand court of revision had no power beyond that of revising criminal cases to determine whether or not the law had been followed. Of capital cases the

[8] See article entitled "The Chinese Judiciary," by Y. C. Chang, in the *Chinese Social and Political Science Review*, Vol. II (Dec., 1917), pp. 71–72. Mr. Chang quotes the Book of Records to the effect that "a sentence before being passed has to be referred to and approved by some assessors or jurors to be selected from amongst the populace;" from the *Book of Rites* that "sentences involving capital punishment should be passed with the advice of the ministers, the minor officials or the people."

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

final disposition lay in the hands of the Emperor. To assist his decisions such cases were given a final hearing by the commission of revision, sometimes called the judicial commission. This commission sat twice a year, once for the consideration of crimes committed in the provinces or dependencies, and a second time for those committed within the metropolitan area. In each case the commission was made up *ex officio*, for non-metropolitan cases, of presidents and vice-presidents of the board of punishment, the court of censors and the grand court of revision; for metropolitan cases of the president of the court of censors, the grand court of revision, the office of transmission, through which memorials were conveyed to the grand council, and the presidents of the six boards. The commission also had original jurisdiction over capital crimes. The Emperor was regarded as the "fountain of justice," his authority in judicial as in all other matters being limited only by well-established precedents.[9]

Parliament there was none. All mandates ran in the name of the Emperor, even during his minority or incapacity, actual or forced. These edicts were frequently long preachments supported by selections from the classics. Often they were indited by the Emperor himself; otherwise their composition was entrusted to the grand council, with which they were usually discussed and by which they were issued. The following decree of Empress Dowager T'zu Hsi in 1898 reveals typically the paternalistic, overdidactic attitude of ruler to people: "The test of good government has always been the absence of rebellion; a state which takes adequate measures for self-defence can never be in serious danger. By the accumulated wisdom of six successive sovereigns our dynasty has succeeded in establishing a system of government, based on absolute justice and benevolence, which approaches very near to perfection. It has been our pleasure to grant relief in times of flood and famine. When rivers burst their banks our first thought has ever been the safety of our people. Never have we resorted to conscription, or to the levying of corvées. We have always excluded Chinese women from service as subordinates in the

[9] Mr. Chang's article contains a concise and clear account of the development of the judicial system from the earliest times.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Palace. Surely such evidences of benevolent solicitude merit the hearty coöperation of all our subjects and entitle us to expect that all our people, high and low, should peacefully pursue their business in life, so that all men, even the humblest of laborers, may enjoy the blessings of peace."[10]

By successive sub-divisions China proper had been divided into eighteen provinces: Chihli, Shantung, Shansi, Shensi, Honan and Kansu, which lay north of the Yangtze River; Kiangsu, Anhui, Hupeh, and Szechuan, through which ran the Yangtze basin; and Chekiang, Kiangsi, Fukien, Hunan, Kueichow, Kuangtung, Kuangsi and Yunnan, south of the Yangtze. The provinces were largely autonomous, though in theory subject to the central government. The latter maintained a check upon the respective provinces in various ways. It appointed and removed all important officials, none of whom might hold a post in his own province. These appointments, like those in the central government, were assigned to the successful candidates in the civil service examinations. Although these examinations, which were set upon the classics, place a premium upon memory and fine writing, and though they were not always free from evil influences, their net result was to maintain a bureaucracy comparatively free from the more blighting effects of nepotism and, according to Chinese standards, efficient. Another agency of control was the revenue which was apportioned to be raised by the several provinces and for which the governors were held strictly to account. In certain provinces, under the Manchu dynasty, Manchu garrisons, commanded by a Tartar general, were stationed to assure the prestige of the reigning house. These generals, superior in theory and originally in fact, to the civil governors, gradually lost influence as the Manchu military organization decayed.

The three Eastern provinces which made up Manchuria, as well as the outlying dependencies, Tibet, Mongolia and Sinkiang or Eastern Turkestan, had their own governance. That of the eighteen provinces was practically the same in all. There were

[10] *China under the Empress Dowager*, p. 158.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

two types of governor, both sometimes found in a single province. The higher was the governor-general, often termed the viceroy, who might, as in the provinces of Chihli and Szechuan, be the actual and sole head, or, more frequently, the superior colleague acting jointly with the governors of two or three provinces. The other was the governor, who might administer a province alone or jointly with a governor-general. These functionaries had general charge of administration, which included not only ordinary administrative functions but the drafting of ordinances and the trial of issues at law. They were, therefore, under onerous responsibilities, as in cases of famine or flood. If at the head of a particular province, the viceroy was commander-in-chief of the Chinese military forces; otherwise that post belonged to the governor.

Below the governor the provincial administration included the treasurer, the judge, the salt comptroller and the grain intendant. Besides performing his financial functions the treasurer dispensed the entire patronage of the province, acting as head of the civil service. The judge had jurisdiction in certain matters. The salt comptroller was in charge of the salt monopoly, supervising the processes of manufacture and sale and the disposition of the revenue thus derived. The grain intendant levied and received the tribute grain or its equivalent in cash. These four officials, with their superior or superiors, formed also an executive council which discussed general provincial problems.

The provincial subdivisions, in descending order, were the *tao*, the *fu*, the *hsien*, special *hsien*, known as the *chow* and the *t'ing*, the *ch'eng*, the *t'un* and the *li*. The most important among these were the *hsien* and the *li*, usually called in English the district and the village. Above the *hsien* were the *fu* and the *tao*. The *fu* or prefectures contained two or more districts; their heads, the "prefects," transmitted orders from above to the districts and reports from the districts to the *tao* capital; the prefects had judicial functions and in some cases were associated with the customs, salt or other actual administrative function. The *tao* or circuits in turn were aggregations of two or more prefectures for which the *taot'ai* or "intendant" acted as channel of communication with

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

the provincial capital. That official had military functions and, in some cases was, jointly with the custom house commissioner, charged with the collection of customs.

Below the *hsien*, the *ch'eng* and the *t'un* were simply "walled" towns and "country" towns respectively, whose administration was managed as though they were a group of villages, each of their sections or wards having a village government. Matters of a wider nature, involving the entire town, were handled either by gilds upon which the officials depended for reliable information as to the economic status of their members and which sought to promote trade, industry and agriculture,[11] or as affairs of the larger units in which the town was located, as the *hsien*. Thus there was no distinct town or city form of government. The details of village government varied considerably throughout the country. In theory the *li* or villages were under the control of the district magistrate and it is unquestionable that the magistrate could and often did exercise his powers within them. For most purposes, however, the villages were self-governing, and village government under the old system, as it does today, furnished a substantial foundation of local freedom and democracy for the otherwise bureaucratic structure of Chinese administration. The governing body was a group or council of elders, varying in size. The elders might or might not have been old or wealthy. They were selected by the heads of families upon some plan of rotation so that the office could be passed around among those that possessed the requisite ability and interest in local affairs. Political tact often gained an elder a practically permanent place.

Primus inter pares, by customary right, stood the village headman or president, the chief of the elders, whose term of office was likely to last throughout his life and whose position was confirmed by the district magistrate. In the headman, advising the other elders, lay the authority in village affairs. He appointed the *tipao* (land-warden) or constable, whose appointment also required confirmation by the district magistrate. The headman and elders recall the English justices of the peace, the land-

[11] Morse, H. B., *The Gilds of China* (London, 1909).

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

warden recalls the English bailiff.[12] Together, they constituted, as they still do, the entire public administrative organization of the localities. They collected the taxes, provided entertainment for officials, found material for dike-building, appointed road-patrols, kept the village wall in repair, if it had one, established and supervised markets and fairs, sunk wells, arranged theatrical entertainments, settled private issues, etc.[13] There were no local police forces except the land-wardens but the elders provided for a bell and drum and a night-watchman to warn away robbers by sounding these at intervals. This wide range of function was and is carried on without participation of, and with very little supervision from, higher officials, a good omen for liberal institutions "higher up" when the localities shall have awakened to provincial and national problems. The situation was hardly to be styled pure democracy, however, since the power lay with those who were considered especially qualified, and the dearth of educated men even among the elders made enlightened government impossible. To a degree the autonomy of the villages was an obstacle to progress since it made it very difficult for more progressive district officials to break the crust of local custom in such matters as education, agricultural improvement and flood prevention.

The central unit in the hierarchy of provincial and local administration was, as it remains today, the *hsien* or district. It was the connecting link between the village below and the province above. Its principal official, the magistrate, was expected to perform all political functions and in addition to devise plans and means for the improvement of economic and social conditions. To the average citizen his village elders were simply his own older relatives, while the provincial and imperial governments were remote and incomprehensible. Hence to him the district magistrate—and this remains true and is likely to remain true for a long time still—represented the actuality of government. This all-important official was appointed by the Emperor on the

[12] Leong, Y. K., and T'ao, L. K., *Village and Town Life in China* (London, 1915), Ch. 1.

[13] Smith, A. H., *Village Life in China* (New York, 1899), Ch. 21.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

recommendation of the governor for a term of three years, which might be extended to six. With him were associated a number of subordinate officials appointed by him and in a relationship to him which might be compared with that between Bismarck and his ministers. They were clerks whose opinions might influence his action but only at his option. He himself performed the important functions of district judge. Through his assistants he acted also as collector of taxes and tribute, registrar of land titles, famine and plague commissioner, and custodian of public buildings and walls. Education, roads, police functions, temple-maintenance, public morals—in fact everything for which an official could be held responsible within a district—was included in the magistrate's burden. And in a large degree he acted independently of interference from above. Political enmity aside, his freedom of action continued so long as no popular protest against him reached his superiors.[14]

Peking, the capital, formed part of the metropolitan prefecture, an area about 100 miles square, which was independent of the provincial system, forming what was practically a miniature province with a governor directly responsible to the central government. Within the prefecture the division into districts was analogous to that in other provinces, except in Peking which was divided into five regions, one central, the others to the north, south, east and west, called the "Five Cities." Over all presided two censors, under them in each "City" a subordinate hierarchy of police officials; together these officials controlled the policing, preliminary judicial activities, and maintenance of roads, the substance of administrative functions, for the capital city. The police forces were composed of Manchu and Chinese troops, numbering between 15,000 and 20,000 of the Banner Men and between 5,000 and 10,000 Chinese, distributed at stations throughout the city and suburbs.[15]

Above the village organization the vast horde of officials which operated the clumsy machinery of government for these several

[14] A comprehensive treatment of the Chinese district magistrate by Byron Brenan, C.M.G., will be found in the *Journal of the North China Branch of the Royal Asiatic Society*, Vol. XXXII, 1897–98, pp. 36–65.

[15] Mayers, pp. 48–51.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

political units constituted a bureaucracy whose consistent attitude of *laisser faire* must be judged in its national setting of conservatism and self-satisfaction. "Squeeze," the demanding or accepting of exorbitant commissions from appointees or recipients of government contracts, was an institution so firmly established as by long practice to have become respectable to a degree never attained by its Western counterpart, graft. The civil service was recruited mainly by examinations which were very severe tests of the sort of knowledge of the classics that the Chinese held in high esteem. These examinations were open to all classes and all ages. Success in them was the highest honor attainable and placed the fortunate candidates on the list of "expectant" officials, from which men were chosen from time to time as offices fell vacant. The traditions of the official service were therefore remarkably high and the prestige of membership in the scholarly class was so great—scholars were ranked above all others by the Chinese people—that the best minds were attracted to the service of the state. Beyond question this fact accounts largely for the permanence and effectiveness, according to Chinese standards, of the political structure. At certain periods especially, and always to some extent, it was possible to purchase both degrees and offices. Successful candidates in the examinations were frequently pushed aside by office-seekers with bribes for the appointing officer. Always officials were far too numerous, constituting a heavy drain upon the people, though this was felt less through taxation than through the "squeezes" exacted from all who had business with an official.

The bulk of the cases at law which a Western system would treat as civil matters never reached a magistrate's *yamen*. They were settled by the village elders in accordance with local custom, which varied widely from place to place. It has been noted in discussing the treatment of judicial business in the central government that there was no separation of civil and criminal cases as such and no separate system of courts. Criminal law, however, was national. In the province the principal official of the district, the prefecture and the circuit, as well as the provincial treasurer, the provincial judge, and the governor, the governor-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

general or both, each dealt with both civil and criminal cases, having jurisdiction within the area of his own administration. "Thus the ordinary courts were: (1) those held in the *Yamen* of the district . . . . magistrates as courts of the first instance; (2) those held in the *Yamen* of the prefects, sub-prefects or circuit intendants, as courts of the second instance; (3) those held in the *Yamen* of provincial judges or treasurers as courts of the third instance; (4) those held in the *Yamen* of the governors-general or governors as courts of the fourth instance. . . . ."[16] The courts of fifth and sixth instance and the judicial functions of the Emperor have already been described. Theoretically any case might be appealed through six courts and then to the Emperor. Actually few cases went three stages because of the cost of litigation. The bulk of them went no further than the district magistrate. The provincial judge was the important link in the handling of appeals in criminal cases, and he executed the final decisions of the superior provincial officials. The provincial treasurer heard all appeals in civil cases. An interesting development, which had been going on for centuries prior to the recent reforms, was the delegation of judicial functions to special deputies in the several jurisdictions.

The function of police was a minor one and the organization of the police was correspondingly undeveloped. The village had its constable, the land-warden, and the district and higher courts their jailers and such other police as were necessary to carry out the orders of their respective officials. Peking and some of the provincial capitals were provided with considerable police forces which were distributed at stations throughout the cities and their suburbs. There was no uniform system of provincial police. The unusually law-abiding character of the Chinese people and the respect of the younger, more excitable, persons for their elders took the place of uniforms and clubs in the towns and villages at ordinary times. For cases of riot the military forces were available. Of these there were two distinct organizations: the Manchu garrison, located in only a part of the provinces to prevent a Chinese revolt against the Manchu house, and the Chinese regulars, partly military, partly naval, forces, under the

[16] Article above cited: "The Chinese Judiciary," p. 78.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

command of military and naval officers and divided into provincial and smaller units.

Such, in brief outline, was the old political structure of China prior to the invasion of foreign influence which became urgent during the nineteenth century. If age is a proof of effectiveness the imperial system had proved itself the most effective that the world had ever seen. It had been so effective because it embodied the essential elements of Chinese civilization,—it was the official expression of that civilization. Confucianism, not in its original form entirely, but as interpreted by centuries of scholarship and altered by the impact of other religions, has been for two thousand years the essence of Chinese civilization and dynasty after dynasty made of Confucianism the principle of imperial political unity. The family or clan system, the most significant feature of Chinese life, though it has reached a stage of degradation such as the great sage could not have contemplated, was inculcated by Confucius. That system was, by analogy, extended to embody the relations of officials to people, from the village, where it actually prevails, through the successive ranks of officialdom up to the Emperor, the father of his people. What was characteristic of family life was common in official action. The government was patriarchal and conservative. Officials were expected to provide places for some relatives and to support others though to do so meant the acceptance of bribes and the imposition of "squeeze." Organization was a minor matter, separation of functions and popular representation were undreamed of. A large proportion of the ordinary governmental functions was performed by private persons and gilds. Throughout the whole bureaucracy ran, as a stiffening and stabilizing agency, the traditions of the scholarly civil service. Each unit of government seemed practically autonomous yet the whole was nationally conscious and essentially unified. Clumsy and corrupt the government was, but it worked, and to the Chinese it was a perfect system, compared to which foreign systems were barbaric. The clash between the two has apparently destroyed the imperial system, replacing it with one modelled upon those of the West. But the replacement is, so far, mainly in the appearance. Beneath the new names and behind the incongruous "Western-style" facades the old spirit and methods continue to control.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

GROWTH OF PRESIDENTIAL GOVERNMENT IN EUROPE

CHARLES E. MARTIN

University of California, Southern Branch

The Unites States of America was the only country that came through the World War with its fundamental principles of government unchanged. War necessitates a powerful and, in a parliamentary sense, irresponsible executive. Wars cannot be won by deliberate assemblies nor by executives harassed by such assemblies. That great national emergencies call for a dictator—a powerful and politically irresponsible executive—the Romans discovered two thousand years ago, and we of the twentieth century have re-discovered. To win the war France set up a dictator, and his name was Georges Clémenceau: to win the war, Great Britain set up a dictator, and his name was Lloyd-George; to win the war the United States set up a dictator, and his name was Woodrow Wilson. To have attempted to carry on government under old parliamentary forms would have been ruinous, for warfare requires quick and decisive action—the very thing deliberative assemblies lack.

The proposition is submitted that a government based upon a separation of powers lends itself more readily to concentrated and politically irresponsible executive power than do other forms of government. The parliamentary system is essentially a union of powers. Its differentiating characteristic is an intimate relation between the executive and the legislative branches, a relation so intimate as to amount to union. The executive can at all times be questioned and criticised by the legislative, and can be brought to task for its political failures. That results in responsibility and responsiveness, two sound principles of government. But under the strain of war the parliamentary system of responsible government broke down. The demand for quick and deci-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

sive action took precedence of responsibility and responsiveness. Cabinets developed inner circles which were clothed with dictatorial power and relieved of responsibility to parliament. In England the War Cabinet was composed of five members, Lloyd-George, Lord Curzon, Lord Milner, Arthur Henderson and Bonar Law. Of course, it is an open secret that this cabinet paid very little attention to Parliament. It did the governing while Parliament did the deliberating, and between the two there was a wide gulf fixed. For all purposes it was an independent and separate executive organ. That is to say, England accepted the principle of the separation of powers in order to win the war.

The United States, on the other hand, found no necessity of changing its principle of government. Based upon a separation of powers with an independent and politically irresponsible executive, all it had to do was to strengthen the hands of the executive by legislative enactment. Congress did that, and the President proceeded to prosecute the war with all vigor. Thus our principle of government proved adequate to a great national emergency.

A logical conclusion might seem to be that a separation of powers is suitable for war while a union of powers is suitable for peace. On the other hand, it might be contended that the breakdown of parliamentary government under the stress of war only brought to light an old situation. That the cabinet is controlled by the parliament is an axiom of parliamentary government; but the war proved that in a great national emergency that axiom could be little more than a fiction. What actually happened was that the cabinet controlled the parliament. And that suggests the reflection, did the war not simply lay bare something that had been covered up? Is not the control of parliament by the cabinet normal and the reverse a fiction? To be sure, cabinets do not in peace times attain complete independence and separation such as the British War Cabinet enjoyed; but more and more they are seeking by means of blocs and political arrangements to make themselves independent and to discharge an independent function of policy-forming and direction. Mussolini has asked for and has received full governmental powers for certain purposes for

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

one year. Surely that looks like a separation of powers. In a word, the goal of cabinet government seems to be a qualified separation of powers.

Moreover, changes in the direction of presidential government in a modified form have not been limited to those countries whose political institutions have not undergone radical alterations. Most of the recent constitutions of Europe have introduced the principle of ministerial responsibility. Cabinet government is adopted, but with modifications. Generally, a President and premier are provided, each exercising independent powers. One is said to represent the country while the other is said to represent the government. Supremacy in power and position will depend on a number of factors, both determinate and indeterminate. On the whole, the new constitutions have established an executive semi-independent in his relation to the other branches of government. Ministers are required to assume responsibility for the political acts of the president. They are given the privileges of the floor in the legislature to present and debate measures, and if members, to vote. They also have the duty of preparing the budget, and the responsibility of framing laws, and submitting them to the legislature.

Political discussion has for a quarter of a century revolved around the subjects of the cabinet or parliamentary and the presidential systems of government. The lines of demarcation have been sharply drawn, and discussion has generally taken the course of suggesting the complete abandonment of one system and the wholesale adoption of the other, with little regard to the trend in countries where one system prevails toward the adoption of certain helpful and remedial features of the other. The parliamentary system has for its organs of government a titular head of the state, hereditary or elected for a term of years, who is not responsible to the legislature nor removable by it; a group of ministers selected and dismissible by the representative legislative body and responsible to it; and a legislature of one or two chambers, chosen by the electorate for a term of years and liable to dissolution by the executive head. The presidential system has an executive head elected by the people for a term of years,

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

removable by impeachment, but politically irresponsible to the legislature; a cabinet appointed and dismissible by the president and responsible to him; and a legislature elected by the people for a term of years and not dissoluble by the president. It is clear that either system can be improved by the application to it of certain sound principles and practices of the other. Our problem is not to establish the existence in Europe of a pure presidential system of government. It does not exist. Rather, it is to determine the extent to which prevailing systems, admittedly parliamentary in origin and spirit, have become presidential; and how far presidential features obtain in the more recent constitutions of Europe, which as a type, have attempted a combination of the characteristics of both systems.

The recent evolution in cabinet government finds no more eloquent illustration than in Great Britain. It is true that the form and machinery of government change slowly, and institutions persist long after the social and economic order which they were designed to serve has seen its day. However, just as the monarchy, once all-powerful, is today a symbol of power and a source of order, so the parliament, the mother of representative institutions, and the cabinet, the leader of the parliament, have in recent years fallen from their former high estate and have given place to one who was formerly only *primus inter pares*. Lloyd-George made the office of prime minister a virtual presidency. While premier, he derived his power from the people and the press, and not from the Parliament. The cabinet had become, like the American cabinet, a group of heads of administrative departments, with the power of initiative and decision resting on the prime minister. Lloyd-George early established his independence of the House of Commons. His appearances there were to deliver speeches more in the nature of messages than declarations of legislative policy, determined upon by the cabinet in its collective capacity. The tactics of Roosevelt and Wilson in dealing with an unwilling and hesitant Congress were used to the full by the versatile and opportune Lloyd-George.

President Wilson, in 1915, instead of taking his party leaders into his confidence, toured the country speaking for preparedness and

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

for support of the measures he proposed. The then Democratic congressional organization was not altogether friendly either to preparedness as a general policy or to the particular measures recommended by Mr. Wilson. His combined appeal from the platform and through the press to the people was a formidable weapon which the Congress could not resist. The leadership of Mr. Lloyd-George followed the American model. He simply announced to the Parliament the lines he intended to follow, without seeking the formal approval of his cabinet as a council of ministers. His parliamentary announcement was generally preceded by a generous broadcasting of his policies through the press and from the platform. To state that these practices were but for the moment, and will have no place in present or future governments is beside the point. The significant fact is that they obtained successfully under any English government.

Ministerial responsibility signally failed in England during the war. Because the government did not function properly under the leadership of Asquith, Lloyd-George came into power in 1916. He immediately proceeded to distinguish between the ministry and the cabinet. A "Committee of Five" was set up, two of whom were "ministers without portfolio." The prime minister was first lord of the treasury, another had merely a titular office, while Mr. Bonar Law was chancellor of the exchequer and the leader of the House of Commons, in place of the prime minister. This was an advanced step toward the American presidency. A Unionist cabinet was led by a Liberal premier. The change resulted in upsetting two conditions precedent to successful parliamentary government, namely party divisions and collective responsibility. Secrecy in proceedings was no longer observed, and a secretariat was appointed to do the routine work. Lloyd-George continued his hold on power, not through a dependence upon the House of Commons, but by the demands of public opinion, manifested in various but definite ways.

The evolution of the British system indicated by the foregoing leads to an important conclusion—the decline of Parliament. This is evidenced in the assignment by the prime minister of the

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

leadership of the House of Commons to one of his colleagues. Its impotence is accentuated by the rise of other instruments for giving expression to the will of the people. Class and occupational groups are clamoring for representation. Until formal representation is secured, they urge Parliament to do their bidding. As a result, the Parliament appears to be a ratifying body of proposals issuing from non-legal and even non-political organizations. Moreover, the overwhelming burden of state work has substantially reduced the position and importance of Parliament. This must from its nature be performed by the executive, and tends to multiply the agencies and powers of the executive. Finally, the House of Commons lost caste under the régime of Lloyd-George due to its unrepresentative character. Accepting as it did the dictum of the prime minister, Parliament could hardly be said to represent anything except its desire to avoid dissolution. Even Lloyd-George was preferred to that. The Unionist's victory under Bonar Law provided no remedy for this defect. The Liberal disintegration, the unsettled labor policies, and the personal following of Lloyd-George have so divided British forces until the voter does the most obvious thing —returns a Unionist House of Commons. It may be said that political power in England has gone through the following successive states: The supremacy of the King; of the Parliament; of the cabinet; and of the prime minister.

Imperial concerns have contributed to the transformation of the premiership into a presidency. The heads of the governments of the self-governing dominions have since the war become real prime ministers. They became brothers in government as well as in arms. They became partners in empire. It was suggested by a certain London newspaper that Winston Churchill, then secretary of state for the colonies, should preside at the conference of the dominion premiers, in June, 1921. These officials refused to agree to any such arrangement, and demanded that Lloyd-George preside. One premier referred to Mr. Lloyd-George as "President of the British Dominions."

To be sure, an effort has been made to resume party government. The result has been a colorless and unsettled majority,

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

and a divided opposition. Moreover, a return has been made in theory to the practice of collective responsibility. It was completely broken down under Lloyd-George. For several years Great Britain was ruled by a political genius whose will was law, and who reduced his colleagues in the ministry to the status of mere heads of executive departments, individually responsible to the prime minister.

While the presidential system may keep in power a president or a party long after their welcome has gone, so is the parliamentary system open to criticism because it permits such abrupt and sometimes frequent changes of the executive as to block the development of policies requiring time to bear fruit. This is particularly true in France. The fate of a ministry is always hanging in the balance. Cabinet crises are always taking place. New men constantly are displacing old ones at the helm of government. The French ministry is ordinarily weak and ineffective. It does not have sufficient authority to direct and control a majority of the Chamber of Deputies. It is usually composed of the leaders of several groups, some of whom have served in former cabinets. Moreover, it cannot dissolve the Chamber of Deputies, which power is practically necessary to cabinet control.

The President of France is also by custom an executive of little real power. He is elected for a term of seven years by the two chambers of the legislature meeting in joint session. As head of the executive government he is charged with the execution of laws and the power of proclaiming a state of siege; control of the army and navy; the conduct of foreign policy; the power of appointment; the power of pardon; the right to propose laws (concurrently with the members of the legislature); the power, with the consent of the Senate, of dissolving the Chamber of Deputies; the power to summon the chambers in extraordinary session, and to invite them to proceed to revise the constitutional laws; the right to address messages to the chambers; the power to adjourn the chambers for a month, but not more than twice within the same session; and the power to require the chambers to consider anew a law they have passed. These powers, substantial in themselves, are exercised by or through his ministers,

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

by one of whom each of his official acts must be countersigned. In the matter of selecting a person to form a ministry, he must act independently of his ministers, though usually with the counsel of the presidents of the Senate and the Chamber of Deputies. He may also advise the ministers in their conduct of public business.

Many French publicists and statesmen are dissatisfied with the present arrangement of a nominal executive with ceremonial duties and a real executive dominated by the legislature. The principle of the separation of powers has been recognized in every French constitution. It is proposed that the presidency should be used as a great motive force, and that an office of unlimited possibilities should not be over-shadowed by the legislature. President Millerand has declared that the nation's will expressed through its representatives, needs a "free executive power under the control of Parliament," in order to be executed and to command respect. In the matter of foreign affairs, it has been the intention of Millerand to direct and guide, and to select premiers who will carry out his policies. Moreover, there is proposed the establishment of the judiciary upon an independent basis with the right to review enactments of the Parliament. Such measures would decrease the power of the Parliament and would make of the French government virtually a presidential system.

Certain weaknesses of the French system are brought to light by the fall of the Briand government in the middle of the Cannes conference. It illustrates at once the weakness of the responsible executive and the determination of Millerand to give practical effect to his proposal of a free executive power. Briand had recently returned from the Washington conference, where his labors, though worthy, were unpopular. The entente premiers, the reparations commission, and a delegation of experts met at Cannes on January 6th, 1922. The reparations commission agreed to a provisional delay in indemnity payments. Lloyd-George and Briand negotiated a defensive alliance between Great Britain and France. Upon their agreement, Briand was called to Paris to meet the opposition in the Chamber of Deputies which led to his resignation. The alliance was bitterly criticized by the Poin-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

caré government, which proceeded to amend the treaty. France insisted before going to the Genoa conference that the revision of the treaty of Versailles should not be discussed, and that there should be no recognition of Soviet Russia which did not provide for the assumption by the new rulers of the foreign debt of Tsarist Russia.

The situation at Cannes was clearly as embarrassing to the entente powers, as was the failure of the United States Senate to ratify the treaty of Versailles. It signified a reversal in foreign policy. The fall of Briand was less due to the Chamber of Deputies than to the intervention of President Millerand, who, in the form of a message to Briand, expressed alarm about the Cannes conference. The President has shifted his ground while in office, but he has carried out his determination, in supporting each policy, to make the Presidency function properly. Before the fall of Briand, when the national bloc attempted to force the government to occupy the Ruhr Valley the President threatened to dissolve the Chamber and appeal to the country. Under the leadership of the militant Poincaré the national bloc, "a remarkable combination of partisans of fallen dynasties," are in power under the aegis of patriotism. Poincaré's aims definitely involve reparations and security for France in the extreme sense of the word. However, he disapproves of the premiers' conferences, and would prefer a reversion to the old methods of diplomacy. Frenchmen who believe that the advanced demands of the Poincaré government are a menace to world peace suggest dissolution as the best solution. The French public is not accustomed to the idea of a dissolution, and Millerand will not demand it. But he has threatened one dissolution, has intervened to remove one premier and install another, and actively sponsors the government of the new premier. Clearly, then, the French President is not today merely a nominal executive.

In no country have the defects of the parliamentary system been so exemplified as in Italy. The instability of parties, the weakness of ministries, and the ever recurring changes in government do not encourage sound government and administration. The word "crisis" is the bane of Italian politics. These parlia-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

mentary situations dominate the press, the attention of the people and the activities of government, both political and administrative. Any presidential features which can succeed in Italy in the direction of securing continuity of policy and stability of government would substantially improve their ineffective parliamentary system.

The paper delimitation of royal powers is extensive. Parliamentary influences, however, have constituted the ministry as the working executive. The ministry, therefore, and not the king, approves and promulgates laws, grants pardons, declares war, concludes treaties, issues ordinances, creates senators, and makes appointments to the offices of state. The ministry is, on the whole, an ineffective one. Legislative interference through interpellation and other practices generally operates to make its life short and its accomplishment uncertain. The union of powers, which it is designed to effect, does not exist. Nor can it be said to be normally a separation of powers. It is rather a confusion of powers. Moreover, party disorganization and legislative irresponsibility prevent the parties and the legislature—the real disrupting influences—from being held to account for their destructive tactics. The premier and cabinet must use the flowing tide, and must turn to the best account the people's fluctuating moods. The judicial system has lacked the unifying influence of a single supreme tribunal and the judges are not free from legislative influence and executive control.

Italian statesmen have become impatient with a nominal union of executive and legislative powers, which separates rather than unites, and which affects adversely the administration of justice. It is not surprising that they look to American models for a remedy.

The reconstruction of executive power in the direction of an independent and even controlling executive springs in Italy, as in France, from a pronounced nationalist movement. The Fascisti movement was organized principally to combat the forces of bolshevism and radicalism which spread over central and southern Europe following the armistice of November 11, 1918. Its leaders were men of vision and force. Its membership was re-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

cruited largely from ex-soldiers, some of whom feared for their country and the principles they fought for, while others preferred to identify themselves with this semi-military movement rather than to go to work. The political effects of the movement were felt in the summer of 1919, when the Facta ministry resigned, due to charges of slackness in enforcing the law against the direct action of the Fascisti. For a month or more Italy was without a government. The enforcement of law was practically at a standstill. The protection of property and fundamental rights, and even police protection, were afforded only by the Fascisti. The government, therefore, was in the hands of a volunteer, extra-legal organization, which was destined in the course of time to become the government. The railway strike of July 1922, was resisted by the Fascisti, representatives of whom boarded trains and guarded stations, to protect passengers and government property. Their zeal for resisting direct action was counterbalanced by their own practice of burning the houses of Socialist deputies. The aims of the Fascisti are definite. They contend that Italy is a country of forty millions of people, and is entitled to a place in European and world councils as a world power. Moreover, they aim to make clear to the world Italy's position as a commercial and agricultural center, rather than a country rich in history, literature, art and architecture. To do this, a strong government, powerful enough to control and small enough to agree is necessary. The country must resume a program of work and industry in order to justify the aims of the Fascisti.

When the King commissioned Benito Mussolini, leader of the Fascisti, to form a ministry, a presidential system was virtually put into effect through a "bloodless" revolution. It is sufficient proof that such a system can be inaugurated by custom as well as by constitutional arrangement. The aims of Mussolini, as set forth in his address to the Italian legislature, and as indicated by his practices, seem to spell the doom—temporarily at least—of the parliamentary system. A majority of his cabinet are Fascisti. He has received full powers of government for one year in certain matters. The custom of a fixed executive tenure is thus introduced, as is the principle of certain executive action

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

without parliamentary intervention or consent. In the frankest possible terms, Mussolini announced his presence in the Italian chamber to give prompt force and effect to a revolutionary movement which was to be bloodless if unopposed, but permanent at any cost. "I am here," he said, "to defend and to implement in the highest degree our Black Shirt revolution, and to inject it intimately into the story of the nation, as a power of development, progress and balance." He complimented the King for accepting the situation, thus averting civil war, and allowing the Fascisti current, born of the war and of victory, to "flood the slack arteries" of the existing parliamentary condition. Italy's need, he declared was not parliamentary programs, of which there was no end—but men with the will to execute. Treaties, both good and bad, must be executed until tested out. He intends to keep the public faith. He demanded a place in the councils of the Lausanne conference, and had definitely announced that the entente must function as a homogeneous body of equal parts, or Italy must seek other means to protect her interests. "Economy work, discipline" is the keynote of his domestic policy. He assures the Italians that he is in power for an extended period, and that there is to be no immediate abdication. Clearly, then, the Italian government of today is more presidential than parliamentary.

Our interest is not confined to those states whose nominal or real executive has through process of political evolution developed presidential features. The new constitutions of Europe with their arrangements for a responsible premier and a semi-independent head of state, generally called a president, reveal distinctive presidential, as well as parliamentary, characteristics. This combination, the result of a desire for a parliamentary government long agitated by the German liberals, had to be introduced in Germany. However, the Germans were not satisfied with merely a titular head of state. The constitution, therefore, sets in motion the general features of the parliamentary system, together with an executive who is at once a titular chief of state and an active and independent force in legislation and administration.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

There is every reason for a powerful President in Germany. Tradition and preference will not die, even in matters of government. Years of autocratic rule, and a cheerful acquiescence therein dictated a strong executive. Moreover, in a land where parliaments have been altogether subdued, it is not likely that they will be suddenly allowed to dominate. The Germans like to rule and to be ruled. The revolutionary period demands such an executive. Economic depression, food shortage, a depreciated currency, enforced disarmament, international control of rivers and certain territories of the country, together with a staggering indemnity, the amount and collection of which has become a football of contention between the two leading entente powers; all these facts are arguments in favor of an executive with certain features of the presidential type.

The German President resembles the President of the United States in several particulars. One point of resemblance is the constitutional arrangement which gives him a strong personal position. He is to be elected by the whole German people, and will therefore receive his authority from the same source as Parliament. As in the United States, it is a more concrete expression of popular will than is the election of a legislature, and is in a very real sense a mandate from the people. This method was consciously and deliberately adopted in order to give the President the authority and independence which the National Assembly deemed necessary. It was feared by the Social Democrats that this method of election was more monarchical than republican, and that it would open the door to military candidates of royal sympathies, and would lead eventually to the restoration of the monarchy. Constitutional revision looking to election of the President by the Reichstag has been abandoned.

Moreover, the powers granted the President of Germany are of sufficient scope to guarantee a certain independence leading to a qualified separation of powers. He is not confined to executive authority alone, but he may have a part in legislation, and may even control the Reichstag. He represents the Reich in international relations, makes alliances and treaties with foreign powers, accredits and receives diplomatic representatives, appoints

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

and removes national and military officers, commissions the Chancellor to form a ministry, has supreme command over the entire military forces of the Reich, exercises the right of pardon, issues regulations, and promulgates and publishes laws. Orders and decrees carrying these powers into effect must be countersigned by the Chancellor or the competent minister. Thus responsibility is fixed and accepted. Other powers greatly extend his authority. In case a state fails to carry out the national constitution and laws, the President may compel performance by use of an armed force. This power, together with other restrictions against the states, seem to reduce them to a very low estate. It harks back to the days of a determined Jackson exercising a strong federal hand in South Carolina. The states, however, have so far refused to submit to so much national control and executive interference. Bavaria, acting independently of the German foreign office, has levied a passport tax against all aliens visiting within her borders. There was passed the so-called "defense of the Republic" act, requiring the states of the German commonwealth to furnish, upon notice, money and forces for the national defense. Bavarian opposition took the form of an open refusal to comply. Separation from the commonwealth was agitated. The upshot of the matter was a journey to Munich by the President and Chancellor, resulting in a compromise between the German and Bavarian authorities, to the distinct advantage of Bavaria. It is unlikely that extreme executive measures will be taken against large states where strong separatist movements already exist.

Under the Constitution, the President, in case the public safety or orders are disturbed, may take necessary measures to restore it, even with armed force. He may also suspend individual liberties guaranteed by the Constitution, including personal liberty, the sanctity of private property, the inviolability of one's dwelling, secrecy of communication, freedom of speech and press, the right of assembly, and the right to form societies or associations. This amounts to the right to declare a state of siege. Serious dangers to the public safety only can justify these measures. Only the President can decide if and when this condition exists. Until a law is passed regulating the details of suspen-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

sion, the power of the President is practically unlimited as regards a state of siege. General and permanent, as well as emergency measures may be taken, and tribunals may be established to deal with the situation. The President may, under this right, break down the normal processes of government in any given region and establish a dictatorship. No other power is so constantly or so widely used in Germany today. The Reichstag must be informed of the executive measures taken, and may demand of the President their withdrawal. No other check on the executive in the use of this power exists.

A third characteristic of the German executive, which finds its counterpart in the United States, is the principle of checks and balances. This brings us to his relations with and his control over the Reichstag. He may order the president of the Reichstag to convoke it earlier than the normal opening date. He has the power of dissolution. He may submit an enacted law to a referendum before its promulgation. He may proclaim immediately a law which the legislative bodies have declared urgent, in defiance of a demand of one-third of the Reichstag. Such promulgation prevents, in effect, a referendum. Where the Reichstag and Reichsrat disagree as to a bill, the President may declare it inoperative, or may decide for a referendum. When a law has been passed by the Reichstag by a two-thirds vote against the protest of the Reichsrat, he may promulgate the law, or submit the question to a referendum. Through the power of referendum and dissolution he can influence and check legislation, make and unmake ministries, and change the personnel of the Reichstag. Certain legislative and ministerial checks operate against the President. His power and influence, therefore, are widened by positive checks against other agencies of government, and are limited by the rights of interference of other branches.

In Czechoslovakia, due regard for an executive who would be more than a titular head of state was manifested by the National Assembly. The President is elected by the National Assembly for a term of seven years. He may enjoy only two successive elections. While election by the legislature deprives the Presi-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

dent of a popular mandate, the scope of his powers enable him to control the National Assembly. He represents the state in foreign relations, the negotiation of treaties, the receiving and appointment of diplomatic representatives, and, with parliamentary consent, the declaration of the existence of a state of war. Moreover, he grants pardon, nominates state officials, and is commander-in-chief of the armed forces of the republic.

The relation of the President to the Parliament and the cabinet is clearly defined. He declares the session of Parliament at an end. He may prorogue Parliament for a month, and only once a year. He also has the power to dissolve Parliament, but this right cannot be exercised during the last six months of his term of office. He may also convoke the Parliament, both in ordinary and extraordinary session. He may return without comment any bill passed by Parliament within a month after its presentation. Every law, to be valid, must be signed by the President. He must, by verbal or written message, report to the National Assembly on the state of the Republic. He may recommend to the National Assembly such measures as he deems necessary and useful. He appoints and dismisses Cabinet ministers, and defines their number. He may attend and preside over meetings of the government, and demand written reports from individual members on subjects within their jurisdiction. He also has the right to call the government or its members into conference. Through his power of veto, recommendation of measures, and dissolution, he has abundant means of holding the legislature within proper bounds. Through his powers of appointment and dismissal of, and conference with ministers, his control of the government is sufficiently adequate for a parliamentary régime. The judicial system is assured a certain independence by provisions protecting the judges from executive and legislative interference. The administration of justice is centralized through the establishment of a supreme court. A constitutional court is established, with the power to declare invalid a law in conflict with the Constitution. The principles of the separation of powers and checks and balances obtain, therefore, in Czechoslovakia, in abundant measure. A strong and popular President can make of his office one of the strongest in the world.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

In Jugoslavia and Poland, the executive has not assumed so much of a presidential character as in Germany and Czechoslovakia. In Jugoslavia, executive power is vested in the King through his responsible ministers; legislative power in the King and National Assembly together; and judicial power in the courts, which are declared to be independent. The King has the usual executive powers, as appointment, approval and proclamation of laws, pardon, command of the military forces, and the control of foreign relations. He may convene, address, and dissolve the National Assembly. It approximates very closely the British theory of a nominal royal executive and a responsible ministry. The Polish executive resembles the President of France. He cannot veto or initiate legislation, nor can he require a reconsideration of measures. Moreover, the position of the ministry is weak, due to a very limited power of dissolution. The Polish arrangements may easily lead to a legislative autocracy stronger than that of France.

The goal of democratic government, in a legislative and administrative sense, is a satisfactory understanding and coöperation between the various branches of government, particularly the legislative and executive. A great advance in this direction is a definition of the relations of those bodies by fundamental law. Without minimizing the value of parliamentary institutions, it is submitted that much has been gained by movements, both customary and constitutional, toward the more stable and secure presidential type. War and reconstruction have wrought fundamental and necessary changes in the powers and functions of the English, French and Italian executives. Moreover, the new constitutions, creating a head of state with both nominal and real powers, have definitely recognized the need of a stronger executive, and have supplied the capital defect of the extreme parliamentary régime. It is with satisfaction, therefore, that we conclude that this feature of the American system has commended itself to the governments of the world.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

GUILD SOCIALISM AND PLURALISM

ELLEN DEBORAH ELLIS

Mount Holyoke College

It is impossible accurately to determine whether the more potent line of causation of the recent attack on the orthodox theory of the state is to be found in the field of the developing science of jurisprudence, or in that of practical experience, economic, religious, social, and political, inasmuch as both of these factors are so largely involved. There is reason to think, however, that the more important cause lies in the latter field. The conditions of modern life are changing so rapidly and are becoming daily so much more complex that to many the existing political organization no longer adequately expresses or reflects the social organization behind it. These individuals and groups have in consequence become so discontented with the present system that they have not been satisfied with suggesting new governmental forms and machinery, but failing in their enthusiasm to distinguish state from government, have undertaken in many cases to overthrow the very citadel of the state itself. Nor has the movement halted even at this point, for in this attempt not only has the attack been launched against the nature of the state and of sovereignty, through the calling into question of its two fundamental attributes, unity and absolutism, but the charge has been carried over into the realm of right as well, in the challenging of the right and the justification of the absolute sovereign state.

As Professor Coker showed in a paper read before the American Political Science Association in December, 1920, this demand for change has taken on forms, in some cases more purely theoretical, as included under the general head of political pluralism, and in others more practical in their bearings, although those of the latter type have in general buttressed themselves with theoretical justification for their programs of reform. Among the most

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

significant of these theoretico-practical campaigns is that carried on by the advocates of guild socialism, and it is with the political theory of guild socialism that this paper is concerned, especially in its relation to the pluralistic theory of the state. The purpose in mind is neither to deny nor to assert the validity of the pluralist doctrine theoretical or practical, nor to pass any judgment as to whether there is, has been, or could or should be a pluralistic state—it is simply to show the relation between the political theory of guild socialism and the doctrine of political pluralism.

In order to do this, it will be necessary to examine very briefly the political theory of pluralism. The pluralist, fixing his attention on the various forms of group life, which have existed within the body politic in the past, and which are developing with such bewildering complexity in the society of the present, sets out by denying that there exists or ever did exist the unitary sovereign state. Yet this denial having been made, there very generally appears a strange inconsistency, which makes one wonder wherein after all is the substance of the pluralist position, for in spite of their protestations to the contrary, all the pluralists except the syndicalists have in their descriptive and illustrative material acknowledged that a unified absolute sovereignty as the ultimately controlling authority, has in fact been characteristic of the political organization of mankind, although they believe such authority to have been without justification. A further analysis of the writings of the pluralists, moreover, almost invariably reveals the curious and difficult confusion of state with government and of fact with right referred to above. The more complete political theory of pluralism has been set forth elsewhere. It is possible here only thus briefly to call attention to those features which have a particular bearing on the political theory of guild socialism.

There was a clearly marked theory of guild socialism from the early days of the movement. Professor Amy Hewes has pointed out in an article "Guild Socialism—A Two Years' Test," that "the English Guild Movement is an exception to the rule that an economic experiment is well under way before a mass of theoretical literature develops" and that "eight years of discussion of the

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

nature and function of the guild state preceded the organization of the first active guild."[1] This political theory, moreover, in undertaking to furnish theoretical explanation of and justification for the new social order which its advocates wished to bring about, dealt with the generally accepted analyses of the old in such a way as to suggest strongly and to contribute in many respects to the already developing pluralistic theory. While this is the case, however, and while the guild socialists have shown themselves susceptible to the confusions and inconsistencies of thought characteristic of pluralistic thinking, the attempt will be made in this paper to show that the doctrine of guild socialism can still hardly be classed as a form of pluralism. In the literature of guild socialism the original denial of the unitary state is much less categorical than in pluralist doctrine as such, and the confusions and inconsistencies tend largely to disappear in the attempt of the guild socialists to outline a practical program for putting into effect their political and economic theories, with the result that in the end their state as they outline it and by whatever name they are pleased to call it, appears as a unitary, though a federal sovereign state, with a highly federalized governmental system.

From the point of view of political philosophy the two most important representatives of guild socialism are Mr. S. G. Hobson and Mr. G. D. H. Cole; and this paper is limited to the examination of their work, since Mr. Penty and Major Douglass put so much greater stress on the economic and financial aspects than on the political, and since their ultimate political philosophy does not offer anything strikingly individual, to mark it off from that of Mr. Hobson and Mr. Cole.

The first important contribution to the political philosophy of guild socialism was made by Mr. Hobson who in 1912 contributed to the *New Age* a series of articles which have since appeared in book form under the title, *National Guilds*. In these essays Mr. Hobson does not attempt to analyse the existing structure of society; his interest lies clearly in sketching the new social order in which through self government in industry, instituted through

[1] *American Economic Review*, VII, 210 (1922).

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

the agency of the guild, truly democratic conditions should prevail. In outlining the constitution for society thus reorganized, however, although Mr. Hobson lays great stress on functional organization for purposes of government, he does not deny the ultimate unity of the state he advocates. Rather in that respect does he declare himself to be in direct opposition to the syndicalists. "It" (guild socialism), he says, "rejects State bureaucracy, but on the other hand it rejects Syndicalism because it accepts co-management with the state. . . . . We remain Socialists because we believe that in the final analysis the State as representing the community at large must be the final arbiter."[2] And he indicates elsewhere[3] that to the state, as final arbiter, he would give the coercive power, although he believes that with the guild organization of society the use of coercion will be increasingly unnecessary.[4]

The last words of the passage just quoted indicate clearly a doctrine of unity. It must, however, be acknowledged that the definitions he gives us of the term state as he uses it, show that Mr. Hobson is thinking rather of government than of state. This does not invalidate the doctrine of unity, but it does reveal the fact that he is not free from one of the especial elements of confusion in pluralistic thinking. At times, it is true, he pushes the concept of state somewhat farther back, as when he speaks of the organized state as over against the organized guilds;[5] but usually his idea is the narrower one of governmental organization. He clearly suggests in this work also that the state as he conceives it is the representative of men as citizens, as opposed to the guild organization which is to represent them as the producers and distributors of wealth, a point that he explains at much greater length in his later book, *National Guilds and the State.*

These essays by Mr. Hobson were followed by several books by Mr. Cole, of which the most important in respect of political philosophy were his *Self Government in Industry*, first published

[2] Hobson, *National Guilds*, 132–133.
[3] *Ibid.*, 261.
[4] *Ibid.*, 259, 260, 261, 263.
[5] *Ibid.*, 258.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

in 1917 and republished four times with modifications between 1917 and 1920, and his *Social Theory* and *Guild Socialism Restated,* both published in 1920. Mr. Cole did not definitely call himself a guild socialist until 1914;[6] but his tendency in that direction is evident from the first, and in the earlier statements of his theory his tendencies toward pluralism also are manifest, although he never loses sight altogether of the unitary element in the state. In the 1917 edition of *Self Government in Industry,* Mr. Cole sets forth his theory of the state as it is, and his plan for the guild state, as he then conceived them. The chapter entitled "The Nature of the State" contains the most important contributions on the subject. At the outset of the chapter Mr. Cole gives us his definition of a state. "A state" he says "is nothing more or less than the political machinery of government in a community."[7] Thus here at the very beginning we seem to encounter the confusion of terms and of ideas referred to above as characteristic of pluralism and as in part at least, shared by Mr. Hobson. In the sequel, however, it appears that it is a confusion of terms rather than of ideas. "Of course," says Mr. Cole in one place, "if by 'State' is meant merely any ultimate body there is no more to be said. In this sense everyone who is not an Anarchist is an advocate of State Sovereignty,"[8] and in another, "When we speak of State Sovereignty we may have at the back of our minds the idea that this sovereignty belongs to the whole people; but we are thinking always of its exercise by the state as a complex of institutions—in a 'democratic' country, of representative institutions."[9] This is borne out also in the distinction that he draws between his "state" and "society" and again between "society" and what he calls the "community." Society is for him "the complex of institutions for common action in the community;"[10] "the community," he says without defining it, "stands behind them (namely society and the state) and sustains them. Society is the mechanism of the communal will but that will resides

[6] Cole, *Chaos and Order in Industry,* 52.
[7] Cole, *Self Government in Industry* (ed. 1917), 71.
[8] *Ibid.,* 84.
[9] *Ibid.,* 95.
[10] *Ibid.,* 72.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

only in the community itself."[11] Among all these definitions and concepts, however, Mr. Cole somehow escapes the real concept of the state itself as that of the people or the community politically organized.

The passages just cited would indicate also that Mr. Cole recognizes in the community a single sovereign power. That he is not altogether clear on this point he reveals, however, in the following: "There is no universal sovereign in the community because the individuals who compose that community cannot be fully represented by any form of association. For different purposes they fall into different groups and only in the action and interaction of these groups does sovereignty exist. Even so, it is an incomplete sovereignty; for all the groups which taken together make up society are imperfectly representative of that general will which resides in the community alone."[12]

Beyond these initial doubts and uncertainties, this chapter on the "Nature of the State" is marked further as one proceeds by a most bewildering confusion of fact with right. It would seem that Mr. Cole is attempting on the one hand to prove that government (or as he calls it, the state) as at present organized, cannot in the nature of the case do those things which it is said to do, and that it should therefore not attempt them; and on the other, and as a result of his first conclusions, to show what should be the organization and function of government. It must, moreover, here be pointed out and acknowledged that throughout this discussion his allusion to the present form of government as state gives to his argument a very pluralistic cast, although as we shall see, this cast is more specious than real.

In analysing the present state as he sees it, Mr. Cole finds its true nature to consist: first, in territorial organization in which men are represented on a basis of neighbourhood or inhabitancy;[13] and second, in the fact that it represents them as "citizens" or according to his understanding of that term, as users and enjoyers

[11] *Ibid.*, 72.
[12] *Ibid.*, 82.
[13] *Ibid.*, 78.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

in common on a local or national basis,[14] and this is all, he claims, that the state as at present organized, can possibly do. He denies absolutely that the present organization is qualified to represent men, as he says, "as bakers or tramwaymen, Protestants or Catholics" but holds that for such representation "other forms of organization are necessary, in which these things are made the basis."[15] From the point of view of possibility, moreover, he passes over, almost imperceptibly to that of right. "Our whole view," he says, "is that the person of the community cannot truly be sustained by any single form of organization," and on the basis of this he declares that the state as now constituted has neither the right nor the duty to interfere in every sphere of human action.[16]

It is of course, in formulating plans for government as it should be, that Mr. Cole develops the guild socialist idea; with the self-governing guilds as the organizations representing men in their capacity as producers, that term being used in its broadest sense as indicating "those making a particular kind of thing or rendering a particular kind of service."[17] The guild congress as the national body representative of all the guilds, or of all the "organized producers," is to be the supreme industrial body "standing to the people, as producers," to quote Mr. Cole, "in the same relation as Parliament will stand to the people as consumers."[18] Parliament it will be noted, he does not intend to do away with, but the municipal councils are to remain in the smaller areas; and Parliament is to remain as the supreme territorial body representing all the dwellers in the land as consumers in common of certain services and commodities.

"Neither Parliament nor the guild congress, however," he declares, "can claim to be ultimately sovereign; the one is the supreme territorial association, the other the supreme professional association."[19] This looks like pluralism, especially when he

[14] *Ibid.*, 79.
[15] *Ibid.*, 78.
[16] *Ibid.*, 79.
[17] *Ibid.*, 80.
[18] *Ibid.*, 87.
[19] *Ibid.*, 87.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

proceeds to tell us that the law of the guilds "must be as sovereign in the industrial sphere . . . . as the law of the state must be sovereign in the political sphere . . . . and . . . . no less enforceable."[20] In the end, however, he reduces the system he is advocating to an effective monism in recognizing the possibility of conflicts between the guild organization and the state, and in providing, for the settlement of such conflicts, a body representative of all the organized producers and the organized consumers, in which body ultimate sanction should reside. This representative body, however, is to be essentially federal in its make up, representing all the citizens in their various social activities, and Cole suggests, although he does not here work it out in detail, that by this he means that it should contain not only representatives of men as producers and as consumers, but also representatives of other social organizations, intellectual, religious, etc., as well.[21] In closing this chapter, Cole indicates that the ultimate coercive power legal and otherwise is to rest in this joint congress, for whereas he divides legislative-executive power according to function between the state and the guilds, he declares that the judiciary is to be an appendage of neither, but of the two combined, administering two sets of law, "State Law and Guild Law, each valid within its sphere and co-ordinated where need arises by the Joint Congress of the Guilds and the State."[22]

The 1919 edition of *Self Government in Industry* shows some modification of the doctrine as set forth in the earlier edition; but not enough to indicate a radical change of position. The main point of difference lies in the fact that Cole now more clearly envisages the process suggested in 1917 according to which a further federalization of men as consumers would take place and call for representation in a number of functional congresses other than the state, with the logical result that he now sees the state as representing men not primarily as consumers, but only partially so, if at all, and that he now assigns to it such functions as "the

[20] *Ibid.*, 98–99.
[21] *Ibid.*, 87–88.
[22] *Ibid.*, 98.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

legal and administrative regulation of personal relationships, the police and judicial system, and methods of taxation and rating in so far as they deal . . . . with administering the balances of income among various classes of the community."[23] Other matters having to do with consumption he now assigns to various *ad hoc* consumers' organizations and functional congresses. He still retains the joint body to deal with matters of conflict among the various congresses of producers and of consumers and of the state.

In his *Social Theory* Cole carries his concept of state one degree further than in his earlier work, one degree, that is, beyond government. "The State," he says, ... "has members, and its members are all the persons ordinarily resident within the area within which the State ordinarily exercises authority. . . . . The State is for the dwellers within its area a compulsory association and its compulsory character is revealed in two ways—in its power to compel all persons in its area, and in the right of all such persons to membership in it. When we say that the state rests upon consent, we mean that it rests upon the consent of an effective proportion of all the dwellers within its area."[24] To this definition the orthodox political theorist would unhesitatingly agree. In what follows, Cole returns to his concept of state as a part of the governmental machinery of his guild state, and in general he holds the same point of view with regard to its proper functions as in the later editions of *Self Government in Industry*—that is—it is to represent men as consumers with regard to those aspects of consumption that affect all men equally, such as incomes, prices, and the like, leaving to the *ad hoc* organizations of consumers, the expression of the consumers' point of view in relation to such commodities or services.[25] In addition to this, also, the state is to carry on activities which he designates as essentially political: the regulation of marriage and divorce, the care of children and the unfit in society, criminal jurisdiction,

[23] Cole, *Self Government in Industry* (ed. 1920), 20.
[24] Cole, *Social Theory*, 94.
[25] *Ibid.*, 99.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

and others that he enumerates.[26] To the joint body he assigns what he now calls the function of coordination, and along with it, and necessarily as he holds, the supreme coercive power,[27] although he also clearly states that there are strict limits of right to its exercise.[28]

In *Guild Socialism Re-stated,* Cole develops at much greater length than in any earlier work the differentiation appearing between men in the broader category of citizens, whom he now represents by cultural councils, health councils and the like, and men as he now more narrowly regards them as consumers, namely, "users of products or services for the direct satisfaction of human needs or desires;" as well also as the further internal differentiation appearing within the ranks of men as consumers, and calling for separate organizations for purposes of representation. It is interesting that in this plan the state has disappeared entirely. He develops, however, much more completely than before, his plan for the coordinating body, which he now designates the commune. He outlines very fully the rôle, he declines to call it a function, that this body is to play—"it is," he says, "simply coordination and nothing else,"[29] and the form it will assume being, he reiterates, the representative of men in all their various functional capacities rather than in any single capacity as human beings or citizens.

In this fuller treatment of the coordinating body as Cole deals with it in this later work, he shows himself more solidly on a unitary footing than in any of his earlier books. For not only does he assign to it, the commune, the rôle of passing constitutional laws, in fixing the demarcation and powers of the many functional bodies; and recognize the necessity of a judiciary subordinate to it for the settlement of disputes over these laws; but he also attributes to it more explicitly than before, coercive power over individuals and functional groups.

It would seem as if Mr. Hobson's later work, the *National Guilds and the State,* although published in 1920, must have been

[26] *Ibid.*, 86–87.
[27] *Ibid.*, 137.
[28] *Ibid.*, 139.
[29] Cole, *Guild Socialism Re-stated,* 122.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

written before Mr. Hobson was acquainted with the later edition of Cole's *Self Government in Industry*, since Mr. Hobson takes such exception throughout to what he declares is Mr. Cole's conception of the state as the representative of men as consumers. Mr. Hobson's contention is that production and consumption are complementary stages of one economic process, and that it is therefore impossible to differentiate between men as producers and men as consumers in such a way as to represent them, as Mr. Cole would, in different organizations. He maintains, therefore, also, that the guild organization can adequately represent men in both of these capacities. In attempting to develop his idea of the state in opposition to that held by Mr. Cole in his earlier work, Mr. Hobson begins by differentiating nation, state and government. The nation is to him the body of citizens, with their "sense of national spirit and consciousness that springs from a life lived in common through many generations."[30] The state is "the vocal organ of the nation,"[31] the "organized expression of citizenship[32] the protector equally of producer and consumer, ... the custodian of public amenities for the use and enjoyment of citizens without regard to production or consumption as such," inasmuch as there is a "civic" element in both production and consumption[33] or as he puts it finally, "the sovereign authority."[34] Government he defines as the "organization that works out in detail the will of the citizens expressed through the state."[35] The government is thus, he holds, the servant of the state with functions derived from and defined by the higher body from which it also obtains its sanction.[36] On further reading it also becomes evident that by state Hobson really means the supreme legislative body, whereas by government he means the administrative organs. But not only does the government derive its functions from the state, the guilds also and the army and navy

[30] Hobson, *National Guilds and the State*, 102.
[31] *Ibid.*, 101.
[32] *Ibid.*, 101.
[33] *Ibid.*, 52.
[34] *Ibid.*, 101.
[35] *Ibid.*, 105.
[36] *Ibid.*, 101.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

are dependent upon it as well, and the state thus becomes the source and ultimate abode of coercive power as well as of function. Though the formal origin of function, the state is to Hobson, however, itself functionless; he conceives of its rôle as a mission, as a responsibility to interpret faithfully the citizen will, and it is through his development of this idea that we reach his concept of the spiritual state.[37]

From all this it will have appeared that Mr. Hobson's guild state is like Mr. Cole's, a unitary state, the main difference between their points of view being with regard to the nature of the highest bodies in their respective organizations, especially in their representative capacity. Mr. Cole, claiming that "a human being as an individual is fundamentally incapable of being represented,"[38] gives to his coordinating body, the commune, a distinctly federal character as representing not immediately the members of his community, but rather the various functional organizations in which they are grouped, and thus gives it in spite of the coercive power which he ascribes to it, a certain pluralistic cast, without, however, destroying its ultimate unity. Mr. Hobson, on the other hand, adopts a more essentially unitary point of view throughout. He starts, so to speak, with the citizen, and from man as citizen whom he represents in the state, he proceeds to develop his system of functional representation. "This citizenship," he says, ... "is the greatest fact in the life of a democratic people. As the greater contains the less, so citizenship contains and comprehends the lesser motives and interests. These motives and interests important though they be, must ultimately merge into the will of citizenship, realizing in it the sovereign power. It is not mere rhetoric when we counter the 'sovereign will of the monarch' with the 'sovereign will of the people.' It is a declaration of democracy. It envisages no balance of power; it knows no checks or counterpoises; it is an ultimatum that the will of the citizens in their civic capacity shall

[37] *Ibid.*, 105.
[38] Cole, *Guild Socialism Re-stated*, 33.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

prevail over every sectional interest, economic or functional. Its decision is the greatest of national sacraments."[39]

Thus having followed the guild socialists through these intricate wanderings we find ourselves still in the monistic state and realize that pluralism has failed to disclose to us through this medium, either the nature or the mechanism of the pluralistic state, and that it has thus once more revealed its weakness on the constructive side.

This fact does not in itself, however, prove the essential wrongness of the pluralist doctrine, the truth of which the future may possibly yet reveal. It may be that prone as human nature is to seek and to be satisfied only with a monistic interpretation of the universe and its various aspects, such an interpretation is in reality too simple adequately to explain the facts, and that the pluralistic theory of the state with all the defects that it has hitherto shown, is blazing the trail for more accurate political thinking. If this be so, however, there are certain unmistakable obligations upon the pluralists which they have not as yet fulfilled. In the first place, if they would have us believe that a unified sovereignty is not and has not been the essential characteristic of the political organization of men, then they must make clear to us what has been the cement that has held that organization together, and given it form and substance. And if they reply, as do some, that it has consisted in a balancing of forces, then they must still make clear what it has been that has served to delimit the areas in which this balance has been effected. And finally those who do not perhaps deny the existence of the sovereign state in the present or the past, but who hold that under the stress and flux of modern conditions the unitary state is now giving place to new forms essentially different from the old, are under equal obligation to show us what these new forms are, and to find for them new and appropriate names to differentiate them from the old.

[39] Hobson, *National Guilds and the State*, 102–103.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

LEGISLATIVE NOTES AND REVIEWS

EDITED BY WALTER F. DODD

Fiscal and Administrative Reorganization in Pennsylvania. Gifford Pinchot took office as governor of Pennsylvania pledged to "clean up the mess" at Harrisburg. The mess was financial and administrative. The state had been spending more than its income. Public offices of the state had been used as the private spoils of progging politicians. For years Pennsylvania legislatures had been appropriating more money than there was money to spend.

The Pennsylvania constitution gives to the governor power "to disapprove of any item or items of any bill, making appropriations of money, embracing distinct items, and the part or parts of the bill approved shall be the law, and the item or items of appropriations disapproved shall be void, unless re-passed according to the rules and limitations prescribed for the passage of other bills over the executive veto." This clause has been interpreted to give to the governor power to veto part of an item as well as an entire item.

Governors of the commonwealth have used this power, some adequately, some inadequately. Thus Governor Sproul vetoed a total of $19,500,000 out of total appropriations of $137,654,000 by the legislature of 1921. But even at this there was an appropriation liability at the end of that biennium (May 31, 1923) of $29,000,000. During this biennium the state every month had accounts payable in excess of cash receipts, in amounts ranging from $1,550,000 to $18,400,000 with a monthly average from November, 1921 to July, 1923, inclusive, of $11,500,000. State institutions could not pay cash for their purchases. School districts and universities among many other institutions had to borrow money at interest to pay obligations due from the state but not paid for want of cash.

There had long been a habit of carelessness in spending the state's money. This carelessness was not found only among the professional politicians who went up and down picking up what they could as the tide of partisan favor ebbed and flowed. The habit of carelessness as to public expenditures extended to many best citizens. One of the

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

leading professional men of the commonwealth, chairman of one of the numerous independent boards, said to the author:—"I never knew what our appropriation was, and I never inquired at any time what my unexpended balance was. My relations were with the governor. I simply told him what I wanted." The larger taxpayers of Pennsylvania, who should have had an interest in public economy, had looked more to personal favors, privileges and exemptions from the politicians they financed in part at election times than to saving taxes by economy in public expenditures, quite forgetting the extent to which these same professional politicians were nursing their personal ambitions at the taxpayers' expense through public officers who often did not serve the state mainly, and in a few instances not at all. Such was the financial situation which Governor Pinchot was elected to straighten out. Mr. Pinchot in his campaign persistently referred to this situation as "the mess." And none who knew the details intimately ever felt that the word overpainted the situation.

The administrative organization of the state government, like Topsy, "had just growed." A list of state agencies before the changes shows no less than 24 departments, 2 bureaus, 18 boards, 2 councils, 49 commissions, authorities for 31 institutions, and another official,—a total of 139.

Both fiscal and reorganization plans were perfected in a single bill called the Administrative Code (Act No. 274, Pa. Laws 1923).

ADMINISTRATIVE REORGANIZATION

The plans for administrative reorganization included two main factors: (1) the reorganization in the structure of government, and (2) standardization of purchases, salaries and positions.

Space does not permit a detailed discussion of either the former administrative organization nor of the reorganization plan. Under the new system, there are: 15 responsible cabinet officers and 3 appointive commissions, with subordinate agencies, as listed below, in addition to the five elective state officials. An executive board is also provided for, to consist of the governor and four heads of departments chosen by the governor.[1]

[1] The governor has put on this board the secretary of forests and waters, the secretary of highways, the attorney general, and the secretary of the commonwealth.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Elective Officials

Governor
Lieutenant Governor
Auditor General
State Treasurer
    Board of Finance and Revenue
Secretary of Internal Affairs
    Board of Property

Code Departments

State and Finance
    State employees retirement board
Justice.
    Board of pardons
    Commissioners on uniform laws
Public Instruction
    Council of education
    Public school employees retirement board
    Pennsylvania historical commission
    State board of censors
    Thirteen professional examining boards
    Three boards of trustees of institutions
Military Affairs
    Armory board
Agriculture
    State fair commission
Forests and Waters
    Water and power resources board
    Five park commissions
    Lake Erie and Ohio river canal board
    Geographic board
    State forest commission
Labor and Industry
    Workmen's compensation board
    State workmen's insurance
    Industrial board
    Workmen's compensation referees
Health
    Sanitary water board
    Anatomical board
    Advisory health board

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Highways
Welfare
    State welfare commission
    Twenty-eight boards of trustees of state institutions
Property and Supplies
    Commissioners of public grounds and buildings
    State art commission
    Five monument commissions
Mines
    State anthracite mine cave commission
    Anthracite mine inspectors
    Bituminous mine inspectors
Banking
    Board to license private bankers
Insurance
Pennsylvania State Police (directly under the governor)
Board of Game Commissioners
Board of Fish Commissioners
Public Service Commission.

An outstanding feature in the reorganization of the machinery of government is reasonable centralization of fiscal responsibility with a proper decentralization in administration. There are in Pennsylvania, as in all state governments, a large number of appointive licensing, professional, and other boards and commissions that should have autonomy. Thus, there is little relationship between licensing undertakers and licensing engineers. Each is a means by which ethical and professional standards are maintained. But in the main the problems are wholly different. Such boards and commissions were described as administrative in the Code. These administrative boards retain their own powers as to their special functions, but their budgets must be approved by the head of one of the fifteen appointive departments. The head of the department has thus the power to know and to advise such boards and commissions as to expenditures, and the governor has power to approve or disapprove their budgets. Hence, there is fiscal responsibility with, at the same time, a degree of decentralization in fiscal administration that will, it is believed, assure better administration. The budget officer has power to make any investigation necessary to effective fiscal control by the governor. But in practice, as in the spirit and letter of the law, there is decentralization in fiscal

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

administration. This is a special feature of the plan for fiscal organization in Pennsylvania.

The executive board is given power to approve or disapprove the establishment of bureaus and divisions in the various departments. Such bureaus and divisions as had been established by statute were abolished by the Code. This makes possible a thorough-going reorganization within departments, usually more important to public service and public economy than reorganization between departments, boards, and commissions. To make this internal reorganization possible, powers are granted to the departments and not to bureaus and divisions. This also makes possible that progressive adaptation to changing needs quite impossible under a wide diffusion of powers.

Purchases and Supplies. The same principle of decentralizing centralization is followed in the plan for standards in the purchase of supplies and equipment. The department of property and supplies is given the duty and the power to purchase and supply all stationery, printing, paper, fuel, furniture, materials or supplies used by the legislature, and by all other departments of the state government. To this extent there is complete centralization in purchasing. But as to the articles, materials, and supplies used by the administrative boards and commissions, and particularly by the state institutions, the department of property and supplies has the power and duty to "formulate and establish standard specifications," provided, however, that no specification shall be fixed as a standard until it shall be approved by the head of the spending agency using the article, material or supply, described in the specification. But if the head of any state institution does not accept the specification or specifications thus established by the department of property and supplies, he can not lawfully purchase the article, material or supply described by such specifications, unless he sends to the department the specifications he prescribed in his bids and the prices paid for purchases thereunder. Any state institution may designate the department of property and supplies as its purchasing agent.

Under this plan there is centralization as to standards and information, with decentralization in purchasing for the outlying state institutions, under the full publicity control of the central officer. This plan was adopted to secure the advantages of decentralization when the central purchasing is not so well done as the local state institution can do it, or when for local reasons local purchasing is more economical.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Many of the specifications by the central purchasing agency have heretofore been closed, and purchases were made thereunder from favored concerns with open bidding often a farce. Such methods, of course, cannot continue under the publicity power provided in this plan. A superintendent of a state hospital, for instance, need but publish his specifications and prices to show up the department's specifications and prices and vice versa.

The department of property and supplies must also act as the purchasing agent for any department, board or commission empowered by law to pay for its own supplies out of its own sources of income.

Heretofore there has been a lump-sum appropriation for the purchase of supplies needed by the administrative departments, boards and commissions. No attempt has heretofore been made to allocate these expenditures nor to pass upon their wisdom or priority. Those who first put in orders were first served. The Code, however, provides that the executive board may allocate to each spending agency its fair share in the total moneys appropriated for materials and supplies. No spending agency may exceed this allocation.

This allocation has been made, and a reserve has been kept to meet emergencies. Each spending agency now knows, therefore, the exact amount of money it has to spend and no other spending agency can encroach on that sum. Many departments under the old plan had ordered early, and for ample supply, in order not to be caught when the money ran out. This old method always resulted in a deficit appropriation as well as in waste. No one needed to care whether supplies were used economically, or not, as there were always plenty more where they came from.

The same method has been applied to printing. Heretofore, an order for some song-books or some special bird-books could practically use all the available funds. Careful ordering of printing had no reward. Now the governor, the secretary of the commonwealth and the superintendent of printing and binding make an allocation of the money to be spent for printing by each department. This allocation has already been made, likewise with a reserve to meet emergencies. And for the first time in the history of the commonwealth steps are being taken to standardize both printing and stationery. Better results are already being secured by these methods for three-fourths the former expenditure.

Standardization of Salaries and Positions. No attempt had ever been made in Pennsylvania to secure equity in pay or in positions among

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

the employees of the different state departments and other spending agencies. The salaries of about one-fourth of the state employees previous to the passage of the code were fixed by statute. The salaries of the other three-fourths were fixed by department heads; and that without conference. Statutory salaries had never been adjusted to any common standard. Mr. Pinchot asked for and secured the repeal of statutory salaries, with the duty upon the executive board to standardize all salaries and positions other than those in the three elective departments noted above.

The executive board is in effect the central personnel agency for the state government. There is no civil-service law giving tenure to state employees in Pennsylvania. But the powers conferred upon the executive board are such as to give to the employees and the taxpayer all the advantages of civil service, save compulsory tenure.

The executive board is given power to standardize all titles, salaries and wages of persons employed by the administrative departments, boards and commissions (except the three elective departments), and including twenty-six state institutions. The salaries and certain qualifications of the state police and of mining inspectors are set in the Code. This standardization work has also been completed. A job-analysis has been made of each position in state employment, grades and classes of positions have been established and qualifications set for each grade or class.

Such standardization of positions and salaries does much more than assure equity in pay and work as between employees. It lays as well the basis and gives the opportunity for equitable promotion. The great advantage of standardization is that it opens the way for any employee properly to bring inequities in pay or in work to the attention of some central authority, whose responsibilities will require similar treatment and pay for similar work in all the different departments. This, Governor Pinchot regarded as essential to high morale in public service.

The governor approves the number and compensation of the employees in each department. But after the executive board has standardized salaries and positions, these standards must be followed in all the departments.

The executive board has the power to approve or disapprove the payment of extra compensation to those state employees receiving fixed compensation, who desire or are requested to do work for other bureaus or departments. This is, of course, to prevent dual pay or office-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

holding, save when such is in the public interest. The board also determines the hours when public offices shall open and close. Heads of departments may not extend leaves of absence for pay beyond thirty days in any one year, exclusive of Sundays and holidays, save on the approval of the executive board.

FISCAL REORGANIZATION

The Code provides for an executive budget. The responsible budget officer is the secretary of the commonwealth. Governor Pinchot gave special study to the questions as to whether the state's budget officer should be a member of his cabinet or the head of a special budget bureau immediately under the governor's own direction. He decided definitely in favor of the cabinet officer, and this mainly for the reason that the governor should not spend his time administering a small bureau. Mr. Pinchot felt that the details of public administration should be divided among the Cabinet officers.

Such a plan should secure permanency in the staff of experts in the budget office. The budget officer after all is one most closely associated with the policies of the chief executive; particularly, as all policies sooner or later find expression in income or expenditures. The responsible budget officer should, therefore, be the personal choice of the executive. Hence nothing is lost and much should be gained by choosing a member of the cabinet as budget officer. The secretary of the commonwealth in Pennsylvania is appointed by the governor, and in law and in practice is the officer of record for the governor. This was another pertinent factor in Mr. Pinchot's decision.

The Budget. The secretary of the commonwealth is directed by the Code to distribute the proper forms and blanks for the preparation of the state budget not later than August 15 of each even-numbered year. These forms are to go to each stage agency receiving or expecting state appropriations. The forms must be returned by the first of the following November.

The budget must be ready for the governor by the first of the January following. Not later than four weeks after the organization of the General Assembly the governor is to submit his budget to the state legislature.

This budget must include the governor's recommendations for the appropriation to be made to each spending agency. The law specifically requires that the governor shall transmit with his budget the estimates of receipts and expenditures as received by the secretary

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

of the commonwealth from the elective officers in the executive and judicial departments. It must also include the estimated revenues or receipts. To this end the law requires that all the departments collecting revenues or receiving moneys shall make for the budget officer an itemized estimate of revenues anticipated in the following, as well as those received or to be received in the current biennium. This detailed information gives to the legislators a chance to check up anticipated revenues as well as past expenditures and appropriations.

No limitation is placed on the power of the legislature to decrease, increase or omit items. It was felt that the English precedents prohibiting the legislature from increasing items should not be followed. And this particularly because the governor of Pennsylvania has power to veto items or parts of items in appropriation measures as noted above. This veto power does not check logrolling as the English precedent seeks to do and does. But the veto power in the hands of a determined executive is sufficient to prevent appropriations from exceeding anticipated revenues.

Fiscal Control. An appropriation budget is relatively a very small part of fiscal control. At best it is but an informational service for the guidance of the legislature. Such a budget left to itself will not prevent overexpenditures.

Self-appropriation in the form of deficits at the will of the spending agency was the common practice in this state. To prevent deficits, save those for which the governor decides personally to take the responsibility, and to provide the means by which the governor becomes the real business manager of the state, continuous fiscal control is imperative.

The Code provides that each department, board or commission "except the Departments of which the Auditor General, the State Treasurer and the Secretary of Internal Affairs are respectively the heads, shall from time to time as requested by the Governor prepare and submit to the governor for approval or disapproval an estimate of the amount of money required for each activity or function to be carried on by such Department, Board or Commission, during the ensuing month, quarter or such other period as the governor shall prescribe. If such estimate does not meet with the approval of the governor it shall be revised in accordance with the governor's desires and resubmitted for approval.

"After the approval of any such estimate it shall be unlawful for the Department, Board or Commission to expend any appropriation or part

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

thereof except in accordance with such estimate unless the same be revised with the approval of the governor.

"If any department, board or commission to which this section applies shall fail or refuse to submit to the governor estimates of expenditures in accordance with the governor's request the governor may notify the auditor general in writing of such failure or refusal, and after receipt of such notice the auditor general shall not draw any warrant in favor of such department, board or commission until the governor shall have notified the auditor general in writing that the delinquent department, board or commission has furnished him with and he has approved the estimate as required by this section."

The appropriations of the three elective officers specified above (auditor general, state treasurer and secretary of internal affairs) are subject to the power of the governor to veto items or parts of items. It was felt best, therefore, not to give to the governor power to keep continuous control over the expenditures of these departments as prescribed above for the appointive departments. The Code does, however, require these three elective officers to submit their plan of expenditures by months (or other periods) in order that the governor may have a total of anticipated expenditures as a means of keeping total expenditures within total income.

These same three departments were also exempted from the standardization powers of the executive board, described earlier. The governor had quite enough to do to get competency in public expenditure in the appointive spending agencies. He has undertaken to run the appointive departments for $29,000,000 less in this than in the preceding biennium and to give better service as good measure.

The appointive boards, departments and commissions have each filed budgets including estimated expenditures by months for the first year of the biennium. Each of these budgets is itemized as follows under a uniform system of accounts:

Departmental Expenditures (From Appropriations)

A 1—Salaries
A 2—Wages, Fees, etc.
B 1—Office Supplies
B 2—Motor Supplies
B 3—Food and Forage
B 4—Misc. Supplies

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

C 1—Postage
C 2—Telephones
C 3—Telegrams
C 4—Express, Cartage, etc.
D —Traveling Expenses
E —Printing
F —Newspaper Adv. and Notices
G —Heat, Light and Power
H —Contracted Repairs
K 1—Office Equipment
K 2—Motor Equipment
K 3—Misc. Equipment
L 1—Land
L 2—Buildings and Constructions
M —Rents
N —Subsidies
O —Other items.

Publication Expenditures (From Allotment)

P —Printing

Property and Supplies Expenditures (From Allotment)

R —Supplies
S —Telephones
T —Telegrams
U —Heat, Light, Power and Water
W —Equipment
Y —Rents
Z —Other items.

The uniform system of accounts which the Code gives the budget officer power to establish was put into effect the day the Code went into operation.

The governor asked all the spending agencies thus filing budgets to spend but forty-five per cent of their total expenditures in the first year of the biennium and in addition to postpone every possible capital or other expenditure to the second year. As a result of this request expenditure of over $7,000,000 has been postponed. This measure was necessary to meet the overexpenditures, which have averaged $11,500,000 a month as noted above, and amounted to $9,100,000 on August 1 of this year. The greater part of the state income is due in November, and the governor by strict budgetary control hopes to present

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

the state with a New Year present of cash on hand equal to bills due for the first time in many a long year.

As a further means to this end sailing charts have been prepared for each main class of expenditures. These charts show: (1) the expenditures by months for comparable items for the past biennium, (2) the estimated expenditures by months for the first year of this biennium and (3) the actual expenditures by months in this biennium as they prove to be.

CLYDE L. KING.

Secretary of the Commonwealth.

Judicial Council in Ohio. An act creating a judicial council in Ohio was passed over the governor's veto and became effective by the expiration of the referendum period about August 1, 1923. Section 1 of the act provides that:

"There shall be a judicial council of nine members for the continuous study of the organization, rules and method of procedure and practice of the judicial system of the state of Ohio, the work accomplished and the results produced by that system and its various parts. The term of office of members of the council shall be three years. This council shall be composed of the chief justice of the supreme court and two associate judges of the supreme court selected by the judges of the supreme court; the chief justice of the court of appeals of the state; one common pleas judge to be selected by the common pleas judges of the state at a meeting to be held the first January following the passage of this act and every three years thereafter; one municipal judge to be selected by the municipal judges of the state at a meeting to be held the first January following the passage of this act and every three years thereafter; and three practicing attorneys at law to be appointed by the governor. The chief justice of the supreme court shall be the president of the council."

Section 2 provides for the filling of vacancies by a majority vote of the remaining members of the council. Section 3 prescribes the function of the council as follows:

"The council shall report biennially to the general assembly of the work of the various branches of the judicial system with its recommendations for modification of existing conditions. It may also from time to time, submit such suggestions as it may deem advisable for the consideration of the judges of the various courts with relation to rules and practice and procedure. The clerks of the various courts and other

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

officials shall make to the council such reports on such matters and in such form periodically, or from time to time, as the council may prescribe."

Section 4 confers upon the council the power to hold public hearings and to administer oaths and require the attendance of witnesses. Section 5 authorizes the payment of the expenses of the council and its members, including clerk hire and other personal services. The members of the council themselves receive no additional salary.

The judicial system of Ohio may be sketched as follows: The court of last resort is the supreme court consisting of seven judges. They are elected by the people of the entire state and the presiding officer, known as the chief justice, is elected as such. Their terms are for six years.

Judges of intermediate courts, known as courts of appeals, are elected in nine appellate districts. These districts are erected by statute. Judges are elected by vote of the people of their respective districts. The judges of these courts are required by law to meet on the third Thursday in September of each year and organize by choosing one of their number as chief justice and one as secretary for the next judicial year, commencing on the first of January; and also to fix the time for the commencement of each term of the court of appeals in each county in each district for the next judicial year; subject, however, to change by the judges of any district by court order. The judges of the courts of appeals may make uniform rules of practice for all these courts, subject to statute and the rules of the supreme court. At least one term of the court of appeals must be held each year in each county, and the judges of the district may fix additional terms at any county seat in the district.

The court of general jurisdiction is known as the common pleas court. The constitution requires that at least one judge of this court be elected in each county by the people. The legislature is authorized to increase beyond or to decrease to one the number of judges of this court to be elected in any county. The commencement of the terms in each county is fixed by the judge or judges for that county, subject to the power to hold adjourned terms and to appoint and hold special terms. There are special statutes fixing regular terms for Hamilton County.

By statute, the chief justice of the supreme court is authorized to appoint any common pleas judge to hold court in any other county than that of his residence when he receives information that an unusual amount of business has accumulated in such other county, and this is authorized by the constitution.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

The chief justice of the court of appeals has similar powers with respect to the assignment of an additional judge or judges to hold court in appellate districts other than that for which they are elected. This may be done by assigning an additional judge in place of one who is disqualified or disabled or by assigning a whole bench to hold an additional court in another appellate district. The constitution confers similar powers upon the chief justice of the supreme court with respect to the court of appeals. In other words the statutes and the constitution, which are not necessarily in conflict, according to the decision of the supreme court, confer similar powers with respect to determination of disqualification and assignment of additional judges, the one upon the chief justice of the court of appeals and the other upon the chief justice of the supreme court. The power of the chief justice of the supreme court under the constitution is broader than that of the chief justice of the court of appeals under the statute.

Common pleas courts in certain counties are authorized to erect more or less permanent divisions.

In two counties there are courts of insolvency possessing some of the jurisdiction of a probate court and some of that of a common pleas court. Judges of these courts are elected by the people of the county.

There is a probate court in each county held by one judge elected by the people of the county. The constitution provides for a consolidation in any county of the court of probate with the court of common pleas. I am not sure whether this has been done in any county of the state but I think there is one instance of it.

Juvenile jurisdiction is provided for in an interesting manner. The judges of the courts of common pleas and probate courts and insolvency courts, if any, in each county are to meet and select one of their number to exercise the juvenile jurisdiction. It is customary to choose the probate judge, but in one county the insolvency judge has been chosen, and in another county, the judges of which have power to erect a permanent division of the work, one of the common pleas judges whose assignment is indicated by the rough designation "domestic relations" has been at one time at least designated to hold the juvenile court.

A number of municipal courts have been created under constitutional authority by special statutes for different municipalities. They usually exercise a combination of the jurisdiction of the court of common pleas in small causes and that of a police court and justice of the peace. However there is no necessary uniformity with respect to the municipal courts as they are all creatures of special statutes the provisions of which with respect to jurisdiction vary to some extent.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

There are statutory police courts in some of the cities; that is, courts existing under a general statute and exercising only criminal jurisdiction as distinguished from the municipal courts which exercise both criminal and civil jurisdiction.

Finally, at the bottom of the heap, so to speak, there are the justices of the peace, located in all townships where not supplanted by municipal courts and exercising the familiar magisterial function in criminal cases (with some exclusive jurisdiction in special classes of offenses) and limited civil jurisdiction in small causes.

It will be observed that by constitution and statute there is considerable coördination among the supreme court, the courts of appeals and the common pleas courts. All these courts have power to make their own rules of procedure, but the power is somewhat limited by the fact that we have an elaborate statutory code of civil and criminal procedure. Our courts are not unified in the extreme sense but on the other hand they are not dissociated from each other. That is to say, in one sense it might be said that we have a unified common pleas court and a unified court of appeals, though the judges are elected by counties or districts. On the other hand, a judge of the court of appeals can neither hold a common pleas court nor be a member of the supreme bench; nor does a judge of the supreme court ever sit except as a member of that court.

The creation of a judicial council constitutes a long step toward closer coördination of the several courts.

CLARENCE D. LAYLIN.

Columbus, Ohio.

Judicial Council in Oregon. There was established at the 1923 session of the Oregon legislature a judicial council, consisting of the chief justice of the supreme court, who is chairman, and four other judges appointed by him. The chief justice may invite the president of the state bar association, the president of the state attorneys' association, and other members of the bar to attend the meetings of the council and advise it in the performance of its duties.

It is the duty of the council to report annually to the governor on the work of the various courts; to report to the supreme court on the operation of the rules of pleading and practice and make recommendations for their improvement, and to make suggestions to judges of all the courts on the administration of rules and the conduct of the business of the courts.

JAMES D. BARNETT.

University of Oregon.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

FOREIGN GOVERNMENTS AND POLITICS

EDITED BY FREDERIC A. OGG

University of Wisconsin

International Status of the British Dominions. The appeal of the British government to the dominions for aid in defending the Dardanelles served to call attention once more to one of the most anomalous features of the constitution of the empire, namely the absence of a definite imperial policy in the matter of war and peace. On this most vital of all questions one would naturally expect to find at least some general understanding between the mother country and the dominions as to their respective rights and obligations. But such is not the case. The principles and practice of the constitution are hopelessly at variance. In theory, the war-making power belongs to the Crown alone and is exercised on behalf of the whole empire, but in actual practice the dominions have not felt under any legal or moral obligation to come to the support of the mother country in foreign wars unless their own particular interests were affected or the safety of the empire was at stake.

Conclusive evidence of the solidarity of the empire in an imperial emergency was afforded by the magnificent response of the dominions in the World War. But this response, as the world soon learned, did not involve any surrender of their national aspirations. The war had served to drive home to them the primary need for an independent voice in the determination of their own military and foreign policies. They had played the part of no mean nations in the winning of the war, and they now justly demanded a corresponding part in its settlement. After some hesitation, their claims were duly recognized by the allies and they were admitted as full-fledged members into the League of Nations. Their initial success in the field of international politics was even more significant, though less renowned than their victories on the fields of France. In truth, the Paris conference opened up a new stage in the political history of the empire. The time had come for them to "assume among the powers of the earth the separate and equal station to which the laws of Nature and of Nature's God

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

entitled them," but in this case, they had attained a new international status without the sacrifices of their constitutional position in the empire. They were now free to a large extent to work out their own political destinies.

The recognition of their semi-sovereign status came not a moment too soon. France was dissatisfied with the protection afforded by the Covenant of the League of Nations and was pressing for an additional guarantee in the form of an Anglo-French alliance. Lloyd George, unwillingly gave a qualified pledge in the hope of preserving the entente cordiale. But the dominions had no intention of becoming involved in the entanglements of European politics even for the sake of a gallant ally. Canada had taken a prominent part at the Paris conference in opposing the adoption of Article X of the Covenant on the ground that it might be construed as a guaranty of territorial integrity. Henceforth the British government could speak for itself alone; it was no longer empowered to bind the dominions without their consent and there was little immediate prospect of their consenting. Article V of the abortive treaty of 1919 accordingly provided that "the present treaty shall impose no obligation upon any of the dominions of the British Empire unless and until it is approved by the parliament of the dominions concerned." A similar clause was also inserted in the proposed Cannes pact of 1922. A new constitutional and international precedent was established whereby full liberty of action was reserved to the dominions in the case of international engagements on which they had not been previously consulted and to which they had not expressly consented. There was indeed an unmistakable parting of the ways in the matter of foreign policy. England was a European power with continental interests and responsibilities; the dominions, on the other hand, had no such interests or connections. The empire was no longer a unit in foreign affairs; for all practical purposes, if not in legal theory, it was divided. The same concession has since been extended to the Irish Free State, Article 48 of the new constitution expressly providing that except in case of actual invasion the Irish Free State shall not be committed to active participation in any war without the consent of the Free State parliament. The policy of non-participation had become the accepted policy of the empire, though in theory its constitutional unity was still carefully preserved in war as in peace.

But public opinion in the dominions was far from united upon the question of imperial policy. The colonial delegates had returned home

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

in triumph from their victories in London and at Paris; they had been admitted to the secret counsels of the imperial cabinet, and had vindicated their right to membership in the League of Nations. They were proud of their new international status, but at the same time did not want to take on any new constitutional or international responsibilities. The citizens of the dominions had had more than enough of European complications and were now chiefly desirous of settling down to ordinary business once more in order to recover from the ill effects of the war. Local economic problems supplanted international questions in public interest. The purely negative results of the imperial conference of 1921 clearly reflected the non-committal spirit of the day. Under the stress of war conditions, the imperial conference of 1917 had adopted a resolution in favor of calling another conference as soon as possible after the cessation of hostilities to consider the particular question of a "readjustment of the constitutional relations of the component parts of the empire." But the conference of 1921 met in quite a different mood. Some of the more ardent imperialists like Mr. Borden were anxious to proceed with the imperial program, but General Smuts objected and his objection was supported by strong nationalist protests from the dominions. The conference was content, therefore, to adopt a rather meaningless resolution to the effect that, "Having regard to the constitutional developments since 1917 no advantage is to be gained by holding a constitutional conference." The imperialists were keenly disappointed at the denouement but nothing could be done. The tide had turned and they were not strong enough to make headway against it.

The tranquillity of the dominions, however, was soon rudely disturbed by the threat of another Eastern war. The appeal of the British government for aid in the Dardanelles came as a great surprise to the dominion governments and occasioned them no little embarrassment. A marked division of opinion immediately appeared among the dominions. The Australasian colonies had both a sentimental and a material interest in the Straits. They could not soon forget the tremendous sacrifices they had made to open up the Dardanelles. The Gallipoli was indeed sacred ground to them, and they could not lightly think of seeing it handed back to the Turk without question. They had, moreover, the strongest naval and commercial interests in the neutralization of the Straits by reason of the close proximity of the Dardanelles to their chief line of communication with the mother country.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

New Zealand did not hesitate for a moment. Within a few hours, a cable was on the way offering to send a contingent to the Dardanelles. In explaining the situation to the house a few days later, Premier Massey declared: "I hope even yet that war may be averted, but if peace is to be maintained the present difficulty must be faced firmly and promptly. The Dardanelles must be kept open and Turkish forces from Asia not allowed to concentrate in Constantinople. I had hoped that the Empire would have recovered from the last war before being called upon to take part in another. We do not want war but duty comes first. The Empire must be preserved and whatever becomes necessary, British citizens both in Great Britain and the overseas dominions, will rise to the occasion."

Mr. Wilford, leader of the Liberal party, heartily commended the policy of the government. The Labor party, on the other hand, was severely critical, if not hostile, to the whole undertaking, but it was in such a hopeless minority that its opposition did not count for much. The attitude of the press and general public was on the whole most favorable. The number for volunteers for overseas service, it was announced, "had broken all records."

The Australian government was not far behind in its profession of loyalty, though it was somewhat more cautious in its proffer of support. Mr. Hughes did not wait to consult parliament, although that body was then in session, but promptly cabled the British government that Australia would join in any steps to maintain the neutrality of the Straits. In defending the policy of the government in the house a few days later, he declared that Australia could not be indifferent to what was taking place in the Near East since the interests of the whole empire were bound up in the neutralization of the Straits. If war should break out in Turkey it would soon spread throughout the whole East and might endanger the very existence of the commonwealth. Australia, he declared, would not be found wanting in the day of trouble, even though all others should fail. "But while willing at all times to stand side by side with Great Britain, Australia could not view with any other feeling than that of despair, a great conflict arising out of the rivalries of Greece and Turkey. The government had, accordingly, asked for the fullest information in regard to the intentions and objectives of the Allies. Australian ambition was limited to the freedom of the Dardanelles and the preservation of the invulnerability of the peninsula." The government would not support or identify itself in any way with the policy of King Constantine. At

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

the same time, the premier cabled Sir Joseph Cook, head of the Australian delegation at the Geneva Conference, requesting him to bring the Near Eastern situation immediately to the attention of the League of Nations and to urge that body to intervene in the cause of justice.

This policy met with a mixed reception in parliament. Mr. Page, leader of the Country party, supported the government, but Mr. Charlton, the Labor leader, strongly opposed the dispatch of a contingent on both financial and political grounds. The people of Australia, he urged, should be consulted by a popular referendum before any definite action was taken. There was really no occasion for war since the questions in dispute might well be referred to the League of Nations for settlement. Some of the Labor members were even more outspoken in their criticism of the premature action of the premier in committing the commonwealth without the previous consultation of parliament. It would be cheaper, Mr. Gardner declared, for Australia to become a republic than to be dragged into a succession of European broils. Another of the Labor members, who had achieved distinction in the World War, vigorously championed the admirable qualities of the Turks, in true Tory fashion, and denounced their worthless Christian rivals, the Greeks. But while the Labor party was hostile to the dispatch of a contingent, the more conservative leaders did not wish to carry their opposition so far as to embarrass the British government in its negotiations or to lead the enemy to believe that the empire was hopelessly divided upon the question. They were thankful, therefore, when the speedy conclusion of the armistice precluded the need for any further action. There is little doubt, however, but that the party would have been ready to adopt every constitutional measure to prevent any active participation in the war. There were indeed many threats of direct action on the part of the radicals, but the parliamentary leaders of the party did not openly countenance any such threats.

The position of the other self-governing colonies was strikingly different. Neither Canada nor South Africa had any special interest in the Turkish embroglio, save insofar as it threatened to embroil the whole empire in war. In Canada a small group of imperialists clamoured for immediate action; but the great bulk of the population remained calmly indifferent to the whole controversy, or, as in the case of the French Canadians, was decidedly hostile to any military adventure in the East. The government took its time in sounding out public opinion before responding to the British appeal, and its reply,

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

as might have been expected in view of the internal divisions in the party, was distinctly non-committal. Public opinion, Premier King declared, "would demand the authorization of parliament as a necessary preliminary to the despatching of a contingent to participate in the conflict in the Near East. We would welcome the fullest information possible in order to decide upon the advisability of summoning parliament." It was evident that the government was anxious to shelve the whole question without coming to a decision by throwing the responsibility of formulating a policy on parliament. The leading Liberal and Progressive papers throughout the country adopted a similar attitude. They were more or less suspicious of the whole course of Eastern politics. They naturally sympathized with the British government in its troubles and approved of its policy in the matter of the neutralization of the Straits and the protection of Christian minorities. They were likewise desirous of lending it all the moral support they could without committing the country to a military program. But they were even more strongly resolved that the government should have nothing to do with the reckless policy of the Greeks or the intrigues of the various European states. The Conservative press, on the other hand, was inclined to emphasize the need for maintaining the unity of the empire in the face of the enemy as the best means of preserving peace. The Turks, after their recent experience in the World War, would, it was urged, be very chary about challenging the combined forces of the empire, whereas they would be quick to take advantage of any apparent division of sentiment on the part of the mother country and the dominions. But upon two points both Liberals and Conservatives were agreed, namely, that all honorable efforts should be made to effect a peaceful settlement of the dispute, and that the questions at issue might well be referred to the League of Nations for final disposition.

Although the smallest of the self-governing colonies, Newfoundland had not been the least in her devotion and sacrifices during the war. The British call for aid again found her ready to coöperate but strongly adverse to any chauvinistic action. Premier Squires sententiously declared, with a touch of Irish humor, that Newfoundland "did not want the British Empire to get into another row, but if there was one she wanted to be in it."

The attitude of South Africa was similar to that of Canada. General Smuts, it so happened, was in a distant part of the country when the British cable arrived so the cabinet wisely concluded that no action

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

"should be taken without calling parliament together." Shortly after, the premier was able to report that "the position of affairs had altered materially for the better and that there was no longer any call for the active intervention of the Union of South Africa." The South African government, he stated, "was in favor of the maintenance of the freedom of the Straits being placed under the League of Nations." In furtherance of this policy the South African delegate to the Geneva Conference joined with the Canadian and Australian representatives in urging Lloyd George to support Dr. Nansen's proposition to invite the Council of the League of Nations to intervene in the Near Eastern controversy.

As was to be expected, the views of the South African public were hopelessly divided upon the question. The attitude of the English or Unionist section of the South African party was admirably expressed in a leading article in the Cape Times at the very outset of the crisis: "We take it that what the Prime Minister of Great Britain wants to show the world is that the dominions stand solidly and unitedly at the back of the imperial government and in this there should be no difficulty. The dominions as signatories of the unratified treaty of Sèvres have a definite obligation in the matter. The South African government ought, therefore, to announce in the clearest possible terms that the British government will have the unswerving moral support of the Union in its determination to resist any violation of the demilitarized neutral zone, and if necessary, and if parliament authorizes it, material support also."

"If, it concluded, the Union government added to its message to the Imperial government the devout wish that the whole problem of the Near East should be referred for honest settlement to the League of Nations instead of to a conference dominated by intriguing European powers whose hands are tied by all sorts of secret understandings, it would express the opinion generally entertained in South Africa."

The Nationalist party and press, needless to say, were bitterly hostile to any form of intervention, moral as well as material. The British appeal furnished them with the best campaign material for attacks upon the imperialist policy of the British government. They were again able to raise the cry that the autonomy of the dominion was in imminent danger, and, moreover, would always be in danger so long as South Africa remained an integral part of the British Empire. However, the response of the South African government to the British appeal robbed this agitation of much of its force and effectiveness. It was

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

very evident that General Smuts had no intention of permitting South Africa to be dragged at the chariot wheels of the British foreign office.

Undoubtedly the British government was much disappointed at the cautious response of the dominions. Only one of the colonies had pledged its wholehearted support to the British cause, whereas two of them had been distinctly non-committal, if not unfavorable. It was very evident that a grave diplomatic blunder had been committed in failing to sound out the dominions in advance. The situation was indeed critical and there had been little opportunity for the government to consult the dominions, but Lloyd George ought not to have permitted his brilliant but erratic Secretary for the Colonies, Winston Churchill, to send out a dispatch, which was almost certain to offend the independent spirit of some of the dominions. As it was, he had himself largely to blame for the unfortunate spectacle of a divided empire. It was particularly fitting, in the circumstances, that a former Canadian, Bonar Law, should have been called upon to straighten out the tangled situation.

The new premier was quick to sense the "touchy" feeling in some of the dominions. In one of his first political pronouncements he took Lloyd George severely to task for a flagrant violation of the constitutional conventions of the empire, in making an open appeal to the dominions for aid:

"I believe I am right in saying that never in our history up to now have we made an appeal to the dominions for help. But the offer of help had come invariably from the dominions without that appeal from us. To throw suddenly as a bolt from the blue this appeal for help when not one of the dominions had the remotest idea that there was any need of it and when it was well known that their help could not come in time to be of any assistance in the crisis was to risk, in my opinion, one of the greatest assets of this Empire. It was to take a risk with our dominions which no wise man would have taken and which I think was not more foolish than it was wrong."

Bonar Law was undoubtedly right in his analysis of the situation. The dominion governments would not be rushed into war without their previous knowledge and consent. They had at last come to realize that the question of colonial participation in wars was inevitably bound up with and dependent upon the greater problem of foreign policy. The crux of the whole situation was the control of foreign relations. General Bernhárdi, of early war day fame, went straight to the heart of the matter when he said that war was simply the con-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

tinuation of peace policies by another method. It was useless for the dominions to talk of colonial neutrality so long as the British government retained exclusive control over the foreign policy of the empire. Diplomatic independence was the necessary prerequisite to the free determination of questions of war and peace.

A limited right of separate representation had already been secured in the Assembly of the League of Nations. The dominion representatives to that body were appointed by the respective dominion governments and were solely responsible to the same for the carrying out of their instructions. On more than one occasion the colonial delegates had demonstrated their political independence by openly opposing the policy of the mother country. But some of the dominions were not satisfied with this modest installment of diplomatic freedom and aspired to the full rights and privileges of official representation in foreign states. The Canadian government in particular was desirous of opening up direct diplomatic relations with the United States. The British government was naturally critical if not hostile to the proposal. In the course of an able speech, on the Irish peace treaty, Lloyd George declared that: "the Dominions since the war have been given equal rights with Great Britain in the control of the foreign policy of the Empire. But you must act through some instrument and the instrument for the foreign policy of the Empire is the British Foreign Office. That has been accepted by all the dominions as inevitable, but they claim a voice in determining the lines of our policy." In short, the British government was glad to welcome the dominions into the councils of the empire and to share its responsibilities with them, but it was strongly insistent upon the necessity for the maintenance of the unity of the empire in matters of foreign policy through the British foreign office.

But the matter could not be disposed of thus simply. The premier's remarks immediately called forth vigorous dissent from the nationalists throughout the dominions. In Canada national feeling was running high, particularly in the west, and did not easily brook any limitation upon its newly acquired freedom. The Canadian parliament, the Manitoba *Free Press* declared, would never consent to an arrangement which left the fate of the dominion at the mercy of the British foreign office. The spirit of colonial nationalism again proved too strong for the conservative traditions of the foreign office. Canada continued to press her demands for separate representation at Washington and the British government as usual was obliged to give way.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

The appointment of a Canadian minister to the United States will perhaps be followed by similar appointments on the part of Australia and South Africa. The exact status and functions of these representatives have not yet been determined, but it is safe to predict that these appointments will represent the usual compromises in imperial politics between the conflicting principles of nationalism and imperialism. Although directly accredited to the United States and empowered to act independently in all purely colonial matters, the dominion diplomats will, in all probability, be officially attached to the British embassy and be instructed to carry on their work in close coöperation with the British ambassador. In respect to imperial matters the representatives of the empire will be expected to act as a unit. Canada, as the Montreal *Daily Star* well said, "does not want to send a man to Washington to weaken the machinery of the Empire but to strengthen it, and to be an aid to the Mother Country. To think otherwise is to misinterpret Canadian sentiment" and, it may be added, the sentiment of other dominions as well.

The future constitutional and international status of the dominions, we may then conclude, is by no means certain, but the chief points at issue are beginning to emerge in fairly concrete form. In the past, imperial questions have attracted but little attention in colonial politics, but the time is not far distant when the different parties will be forced to take a definite stand upon the much mooted question of the constitutional reorganization of the empire. The old Tory imperialists have practically disappeared from the dominions and the little colonials have gone the same way. Here and there throughout the dominions there may be found small republican groups and communist societies, but with the exception of South Africa, where there is a strong republican party, these groups count for little in the political life of the community. The overwhelming majority of the population of the dominions will have nothing to do with the old reactionaries or the present-day extremists. For the most part they are fairly well satisfied with the way in which the empire is progressing and they are prepared to allow its future constitution to be worked out gradually at successive conferences.

The problem of the redistribution of the powers of the empire is by no means new; in fact it has troubled both English and colonial statesmen since the establishment of the American colonies; it is characteristic of all federations; it is merely another phase of the old problem of reconciling national unity with the maintenance of states rights.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Briefly stated, the problem is, shall the constitution of the empire be based upon the principle of a *Bundestaat* or a *Staatenbund?* In other words, shall the empire be transformed from a unitary into a federal state, or shall it be dissolved into a loose confederation of friendly associated nations? Upon the answer to this question will depend the future constitutional status of the dominions in the matter of war, peace, and foreign affairs.

C. D. ALLIN.

University of Minnesota.

Recent Articles in Foreign Periodicals. *I. English.* The following summary of articles in the English journals is confined, in conformity with the review appearing in 1921, to discussions of governmental organization, structure, process, and procedure. The journals here included (1921–1922 inclusive) are *The Edinburgh Review, Nineteenth Century, Contemporary Review, Fortnightly Review, Quarterly Review, Journal of Comparative Legislation, Round Table,* and *The Journal of Public Administration.*

On questions of national government there are several papers. The speaker of the House of Commons is thus the subject of two articles. Professor J. G. MacNeil Swift, in the "The Completion of the Speakership,"[1] emphasizes the non-partisan status of the speaker, who now declines to exercise his prerogative as a private member in committee of the whole. The development of the speakership in the hands of Mr. Lowther furnishes the basis for the article, "Mr. Lowther and the Speaker's Office."[2] The same author, in "Judges and Politics,"[3] uses the case of Lord Carson to illustrate the anomaly of permitting a judge to occupy a position which gives opportunity for participation in politics. Parliament is the object of a caustic attack by the veteran socialist, H. M. Hyndman, who proposes, for the improvement of the House, proportional representation, the initiative and referendum, biennial elections, a second chamber composed of elected senators, a cabinet elected by the House of Commons, and the reduction of the House to 300 members.[4] Professor Swift denies that the power of dissolution is vested in the Prime Minister alone.[5] The cabinet secretariat is alleged by Sir Henry

[1] *Fortnightly Review*, vol. 116, p. 302.
[2] *Nineteenth Century*, vol. 89, p. 1070.
[3] *Fortnightly Review*, vol. 118, p. 796.
[4] "An Antiquated Assembly," *Nineteenth Century*, vol. 89, p. 979.
[5] "The Prime Minister and the Prerogative of Dissolution," *Fortnightly Review*, vol. 117, p. 744.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Craik, in an article entitled "The Cabinet Secretariat,"[6] to be a fundamental alteration of the constitution, establishing a new administrative department which may come to overshadow all others. The relation of experts to cabinet members is discussed by Sir C. E. Callwell in "Service Experts at War Councils,"[7] an article based on the Dardanelles case, failure in which is alleged to be due to disregard of the advice of the experts. An interesting defense of the House of Lords is to be found in the proposal of A. A. Bauman, together with a criticism of the Parliament Act of 1911 and a plea that the power to amend money bills be restored to the Lords, the size of the House to be reduced fifty per cent through a selective process by the Lords themselves.[8]

The Irish question continues to be the subject of many articles. The Conservative view is expressed by J. A. R. Marriott in "England, Ireland and Ulster: the Latest Phase."[9] Professor Marriott stands for "rigorous repression by regular troops" as at once the best policy and the truest mercy and reveals the Unionist estimate of the Home Rule Act of 1920 as an ill conceived and ill fated measure, "an unwanted gift." The Home Rule Bill of 1920 and its antecedents are reviewed in articles by G. W. Forrest,[10] and Richardson Evans.[11] The best outline of Irish events is to be found in the *Round Table* for the period under discussion.[12]

Problems of the British Empire call forth able discussions from various points of view. In "Imperial Unity and the Peace Treaty,"[13] F. W. Eggleston deprecates the tendencies toward separation and emphasizes the unpreparedness of the dominions for complete self government. The same author, in "The Problem of the British Commonwealth,"[14] urges the assumption by the dominions of greater responsibility for their own security, and urges them to authorize the British foreign service to conduct all foreign relations, through dominion attachés where desirable. Mr. P. F. Martin, in "Overseas Political Federation,"[15] discusses the proposal to federate the West Indies with

[6] *Nineteenth Century*, vol. 91, p. 913.
[7] *Ibid.*, vol. 90, p. 1062.
[8] "Powers and Personnel of the House of Lords," *Fortnightly Review*, vol. 118, p. 661.
[9] *Ibid.*, p. 42.
[10] "Irish Administration," *ibid.*, vol. 116, p. 907.
[11] "Ireland and the Realm," *Nineteenth Century*, vol. 89, p. 574.
[12] *Round Table*, vol. 11, pp. 231, 465, 759; vol. 12, pp. 37, 507.
[13] *Quarterly Review*, vol. 235, p. 286.
[14] *Nineteenth Century*, vol. 91, p. 741.
[15] *Quarterly Review*, vol. 237, p. 188.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Canada in order to avoid any dangers involved in the growing interest of the United States in these islands. The imperial conference is well handled in the *Round Table* in the following articles: "The British Commonwealth of Nations in 1921," "Meeting of the Imperial Cabinet," "The Imperial Conference," "The Imperial Conference from an American Standpoint," and "A Programme for the British Commonwealth."[16] Professor W. P. M. Kennedy, in "Canada and the Imperial Conference,"[17] criticises the advocates of Canadian independence, asserting that they fail to represent real Canadian opinion. An able examination of the problem of the empire is to be found in an article by W. B. Worsfold,[18] in which the author examines briefly the steps already taken and the implications of the doctrine of "equal status," and then advocates in addition to the Prime Ministers' meeting a permanent deputy body of Dominion Ministers resident in Canada.

Special empire problems are dealt with in an article by Sir C. H. Tupper,[19] in which the right of appeal from the Canadian courts to the privy council is sustained; and in one by Sir J. H. Symon,[20] who advocates the maintenance of the present limited right of appeal from the Australian courts. Internal problems in Australia are considered by M. L. McCallum in "Constitutional Issues in Australia,"[21] chief importance being given to the need for a redivision of powers between state and commonwealth governments in view of the recent decision of the Supreme Court striking down state rights, and to the need for a division of the large states, and the reorganization of the senate, which is said to have failed in its function of state representation. The new dispensation in India is carefully reviewed by R. Feetham in "The New Government of India Act,"[22] special attention being given to provincial legislation and the control of provincial finance. A valuable article, "Egypt a Nation," is to be found in the *Round Table*.[23]

Theoretical aspects of politics are treated in "The Reconsideration of the Middle Ages" and "The Scope of the State," both by G. R. Stirling Taylor.[24] Mr. Taylor finds in the middle ages the type of society toward

[16] *Round Table*, vol. 11, pp. 1, 535, 735, 835; vol. 12, p. 229.
[17] *Contemporary Review*, vol. 120, p. 61.
[18] "The Administration of the Empire," *Nineteenth Century*, vol. 89, p. 316.
[19] "The Position of the Privy Council," *Journal of Comparative Legislation*, vol. 3, pt. 4, p. 184.
[20] "Australia and the Privy Council," *ibid.*, vol. 4, pt. 4, p. 137.
[21] *Nineteenth Century*, vol. 91, p. 278.
[22] *Journal of Comparative Legislation*, vol. 3, pt. 1, p. 101.
[23] *Round Table*, vol. 11, p. 32.
[24] *Nineteenth Century*, vol. 90, p. 650; vol. 91, p. 729.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

which modern civilization is moving—local self-government and group organization; but nevertheless recognizes that the state is a necessity for modern ways and that its scope will increase rather than decrease. A defense of aristocracy is to be found in "The Aristocrat" by A. Hopkinson.[25] Starting with the statement that progress always comes from the individual, the author proceeds to attack democracy and socialism as the government of the economically bad over the economically good.

Several articles deal with various phases of public administration. One of the notable contributions is by W. H. Moreland.[26] The article defines the content of public administration, examines the types of control, and analyzes the constituent elements of administration and its relation to the political authorities of the state. A plea for government support of the Indian service is found in "The Passing of the Indian Civil Service" by S. Rice, [27] and reference is made to the decreasing proportion of Englishmen in the Indian service. The decline of the home service is the subject of an article by Sir Henry Craik.[28] Perhaps the most notable event of the two-year period is the appearance of the new quarterly, *The Journal of Public Administration*, published by the Institute of Public Administration, a body of English civil servants. The first number contains, among other articles, "An Organized Civil Service," by Viscount Haldane; "Administrators—Imperial and Local," by F. R. Anderton; and "The Teaching of Public Administration in the United States," by I. G. Gibbon.

Foreign governments and politics receive consideration. Two important articles by Edward Bernstein, "The Evolution of the German Republic" and "The Political Situation in Germany,"[29] give a comprehensive review of parties and issues in Germany since the war. The separatist tendency in Bavaria is the subject of an important article by M. H. H. Macartney.[30] Of the many articles dealing with Russia two may be selected for notice. An able and illuminating account of the origin, organization, methods, and power of the Communist party is to be found in "The Russian Communist Party," by the well known English journalist, H. N. Brailsford.[31] The economic policy of Russia is well treated in "The Communist Experiment in Russia," which deals in

[25] *Ibid.*, vol. 91, p. 766.
[26] "The Science of Public Administration," *Quarterly Review*, vol. 235, p. 413.
[27] *Fortnightly Review*, vol. 117, p. 585.
[28] "The Civil Servant and the War Bonus," *Nineteenth Century*, vol. 90, p. 10.
[29] *Contemporary Review*, vol. 120, p. 27; vol. 121, p. 697.
[30] "Bavaria and the German Reich," *Fortnightly Review*, vol. 116, p. 822.
[31] *Contemporary Review*, vol. 119, p. 20.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

turn with the land policy, the industrial policy, finance policy, and foreign trade.[32]

The Fascisti come under the scrutiny of Luigi Villari, in "The Internal Political Situation in Italy."[33] This informing article reviews the political situation from the close of the war to the selection of the Bonomi ministry in the spring of 1922, and discloses the springs of the middle class reaction to Socialist dictation and the methods used by each faction. The conditions out of which fascism grew and its present status are discussed by Vincent Bugeja in "Fascism and its Political Influences in Italy."[34] The constitution of Czechoslovakia is summarized by Vladimir Dedek[35] and by R. W. Seton-Watson.[36] The latter's article contains also a brief discussion of several important internal problems, such as the status of the church, finance, and the racial difficulties. The constitution of Esthonia is summarized in the *Journal of Comparative Legislation*.[37] J. Ramsay MacDonald gives an important account of one of the Russian succession states in "The Georgian Socialist Republic."[38] An important article showing the use of proportional representation in the various states of the world is "Proportional Representation in Modern Legislation," by J. F. Williams.[39]

In the international field notice should be taken of two articles on the International Labor Office, a part of the machinery of the League of Nations. Sir L. Macassey, in "International Labor Legislation,"[40] refers to the constitutional difficulties encountered in France and Great Britain with the application of Article 405 of the treaty of Versailles controlling the procedure to be followed in dealing with conventions or recommendations of the International Labor Conference. The difficulties of securing cooperation among nations is the theme of Lord Askwith's article, "The International Labor Office."[41] An admirable summary of the machinery of international coöperation is given by C. E. A. Bedwell in "International Organizations,"[42] in which the author

[32] *Round Table*, vol. 12, p. 538.
[33] *Contemporary Review*, vol. 121, p. 32.
[34] *Quarterly Review*, vol. 237, p. 134.
[35] *Journal of Comparative Legislation*, vol. 3, pt. 1, p. 115.
[36] "The Czecho-Slovak Republic," *Contemporary Review*, vol. 119, p. 310.
[37] Vol. 3, pt. 4, p. 245.
[38] *Contemporary Review*, vol. 119, p. 177.
[39] *Journal of Comparative Legislation*, vol. 3, pt. 1, p. 76.
[40] *Ibid.*, vol. 4, pt. 1, p. 1.
[41] *Nineteenth Century*, vol. 89, p. 954.
[42] *Contemporary Review*, vol. 121, p. 82.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

points to the coördination of effort and knowledge, the rapid spread of information, the organization of daily peaceful intercourse, and the promotion of common interest in common work as the ends to be attained. Professor Arthur Berriedale Keith, in an article entitled "Mandates,"[43] discusses the legal phases of the allocation of mandates, the determination of their contents, the degree of control maintained by the League, and the relation of the mandate system to the International Court of Justice. A compact statement of the composition of this court, its competence and jurisdiction, its law and procedure, is to be found in "The Court of International Justice," by W. Latey.[44] In conclusion, reference may be made to a criticism of the application of plebiscites by J. W. Headlam-Morley in "Plebiscites,"[45] in which the author refers particularly to the case of Alsace-Lorraine.

LEONARD D. WHITE.

University of Chicago.

II. French. As a natural result of the war, the periodicals of France have devoted most of their attention to such international questions as reparations and security. But reconstruction has a domestic aspect, and a number of means for putting the French house in order have been discussed.

Many writers, whether editors or deputies, believe that the partial system of proportional representation set up by the act of 1919 is unsatisfactory. They are therefore advocating the adoption of the "R. P. Intégrale."[1] Woman suffrage is also being advocated, not only because of motives of justice, but because of the elevating influence which women should have upon the solution of moral and social problems.[2] In view of the tendency of some Frenchmen to shirk their duty at the polls, others now demand the compulsory vote. Professor Joseph Barthélemy, a member of the Chamber of Deputies, has written a report on this subject which every American congressman ought to read and compare with the documents which our honorable House of

[43] *Journal of Comparative Legislation*, vol. 4, pt. 1, p. 71.

[44] *Ibid.*, p. 89.

[45] *Quarterly Review*, vol. 236, p. 206.

[1] J. L. Bonnet, "La Réforme Électorale," *Revue Politique et Parlementaire*, (1922) vol. 111, p. 221; see also "Chronique Politique," *ibid.*, April 10, 1923; p. 134; and three editorials, "La question de la Représentation Proportionnelle intégrale," *Europe Nouvelle*, April 23, 28, May 5, 1923.

[2] P. Berthélemy, "Pour le vote des femmes," *Revue Politique et Parlementaire*, (1922), vol. 111, p. 5.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Representatives turns out. Treating the subject from the historical and analytical standpoint, he shows how the compulsory vote has worked out in Belgium, those Swiss cantons which have tried it, the Central American countries, Mexico, Denmark, Spain, Holland, Luxemburg, Hungary, and Czechoslovakia. He comes to the conclusion that the compulsory vote is a good thing, and proposes a law which would punish failure to vote by a fine of five francs for the first offense, five per cent of one's income tax for the second; and the loss of the franchise for five years, for the third.[3]

Another interesting proposal has been made concerning "parliamentary incompatibility." Socialists in the French Chamber want to prohibit any minister or member of parliament from being connected with a business which holds government contracts or concessions. They also wish to prohibit railway magnates and bankers from sitting in parliament. This question, according to Professor Barthélemy, who studied it for the chamber, involves the whole relationship between money and politics. He finally comes to the conclusion that a member of parliament should automatically resign when he becomes associated with a business having anything to do with the public treasury, but that he should be immediately eligible for re-election. This would give the people a chance to determine whether the two positions were incompatible with each other.

A number of questions concerning the right of association and syndicalism in general have been raised in the periodicals. An article in *La Grande Revue* discusses a federation recently formed by the newspapermen.[4] *Chambres des Métiers* are also being formed, and it is proposed to extend government credit to them.[5] The most novel development has been the formation of syndicates among Catholic priests. This movement does not attempt to sovietize the clergy, but to take advantage of the law of March, 1920, clearing up legal ambiguities arising out of the non-enforcement of the Separation Laws of 1905 and 1907.[6] Incidentally, it is interesting to note that since France has resumed diplomatic relations with the Vatican, the Pope is apparently becoming

[3] Report reprinted in *Revue du Droit Public et de la Science Politique*, January, 1923, p. 101.

[4] G. Renard, "L'Association parmi les travailleurs du Livre et du Journal," *La Grande Revue*, March, 1923.

[5] "Les Idées et les Faits Sociaux," *Le Correspondant*, April 25, 1923, p. 325.

[6] H. Puget, "Les syndicats de prêtres catholiques," *Revue Politique et Parlementaire*, April, 1923.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

reconciled to the separation regime. In one respect, the syndicalist movement has been checked: the Council of State has declared syndicates of government officials illegal, a decision which has given rise to a good deal of debate.[7]

General questions of administration have concerned a number of writers, one of whom analyzes the different duties of a cabinet minister, and suggests the creation of a number of "directors" and technical committees in each service.[8] Another suggests the reorganization of administrative bodies, such as prefectural councils.[9] Several professors discuss the relation of "personal faults" to "faults of service" under the French administrative system.[10] An admiral writes upon administrative reform in the French marine.[11] The question of regionalism is still being raised by M. Boucheron;[12] one writer demands a new constitution;[13] while another presents a plan for judicial reform.[14]

As a background to the serious problems which have arisen in connection with the return of Alsace-Lorraine to France, a Strassburg professor has written a thorough article on the government of Alsace-Lorraine under the Germans.[15] Another discusses the administrative organization of these provinces under German rule and the changes made since 1918 by the French.[16] Problems of municipal government in Alsace-

[7] "Illégalité des syndicats de fonctionnaires," *Revue du Droit Public et de la Science Politique*, January, 1922, p. 59; A. Budon, "L'Association professionnelle et le syndicat chez les fonctionnaires;" J. Zapp, "Le syndicalisme dans les services publics," *Revue Politique et Parlementaire*, (1922), vol. 111, p. 104.

[8] B. Lavergne, "Esquisse d'Une Réforme Administrative," *Revue Politique et Parlementaire*, (1922) vol. 111, p. 5.

[9] J. Laferrière, "L'organisation de la Juridiction administrative. Réformes et projets de réforme," *Revue du Droit Public et de la Science Politique* (1921) vol. 38, p. 109; see *ibid.*, vol. 37, p. 533.

[10] L. Duguit, "La question de la coexistence de la responsibilité de l'État et de la responsabilité personnelle des fonctionnaires," *Revue du Droit Public*, January, 1923; A. Fliniaux, "Le cumul de la responsabilité de l'agent et de la responsabilité de la personne morale administrative," *ibid.*, (1921) vol. 38, p. 334.

[11] Admiral Darrieus, "La réforme de l'administration de la Marine," *Revue Politique et Parlementaire*, March, April, 1923.

[12] L. Boucheron, "L'Organisation Cantonale dans l'Administration Régionale," *Revue Générale d'Administration*, July, 1922.

[13] P. Gaultier, "La Réforme Constitutionnelle, *Revue Bleue*, May 19, 1923.

[14] D. Boisdon, "La Réforme Judiciare," *Revue Politique et Parlementaire*, (1922) vol. 112, p. 356.

[15] R. Redslob, "Le Régime Politique de l'Alsace-Lorraine sous la Domination Allemande," *Revue du Droit Public*, (1921) vol. 38, p. 5.

[16] Laferrière, "La jurisdiction administrative en Alsace et Lorraine," *Revue du Droit Public*, (1921) vol. 38, p. 394.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Lorraine and the ethnic composition of the present population are discussed,[17] while one journal reprints M. Barthou's speech, defending the "transitory" regime which France maintains in these new departments.[18]

The recent publication of a work on the French colonies by M. Albert Sarraut has been accompanied by a number of articles on the same subject. Writers have been interested in the economic value of the French colonial empire, the strategic necessity of colonial railways, the policy to be followed toward the natives, the influence of French missionaries on the foreign prestige of France, the French mandate in Syria, and the failure of conscription applied to colonial troops during the last war.[19]

A more philosophical question has been raised by a French editor who asks, Is France still republican? He says that while every class, except the followers of Charles Maurras, have accepted the republic, most of them have lost all faith in it, especially since the war. The great political parties of France have only negative traditions behind them: the Right and Center have been anti-socialist; the Left has been anti-clerical; the Socialists have been anti-bourgeois. Weakness has been the result, and he pleads for the adoption of constructive programs, as the best means of saving the republic.[20]

RAYMOND LESLIE BUELL.

Harvard University.

[17] J. Fonlupt-Esperaber, "Le Droit Municipal de l'Alsace et de la Lorraine," *Revue Générale d'Administration*, November, 1922; H. Baulig, "La Population de l'Alsace et de la Lorraine en 1921," *Annales de Geographie*, January 15, 1923.

[18] "La réassimilation progressive de l'Alsace et de la Lorraine," *Journal du Droit International*, November, 1922.

[19] D. Zolla, "Nos achats de produits coloniaux et la mise en valeur de notre domaine colonial," *Revue des Sciences Politiques*, (1921) vol. 44, pp. 61, 274; Honoré Paulin, "La Participation étrangère dans la mise en valeur de nos colonies," *Revue Politique et Parlementaire*, (1922) vol. 112, p. 369; Dr. Fulconis, "La mise en valeur des colonies françaises," *ibid.*, April, 1923; Colonel Godefroy, "Le Transsaharien et la Conference de Washington," *ibid.*, vol. 112, p. 185; B. Lavergne, "Notre politique indigène comparée à celle de l'Empire romain," *ibid.*, vol. 112, p. 422; Catroux, "Le Mandat français en Syrie: son application à l'État de Damas," *ibid.*, vol. 110, p. 199; P. Clerget, "La Syrie sous le mandat français," *ibid.*, May, 1923; L. Robert, "L'Influence de la France en Extrême-Orient par les Oeuvres des missionaires," *ibid.*, vol. 111, p. 407; General Levé, "La préparation de la guerre et l'armée indigène," *ibid.*, vol. 111, p. 373; J. Dautremer, "Colonisation et population," *ibid.*, vol. 111, p. 433; Jean Fleurier, "Le Status de l'armée coloniale," *L'Opinion*, April 27, 1923.

[20] L. Romier, "La France est-elle républicaine," *La Revue Hebdomadaire*, May 5, 1923.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

III. German. The articles which have appeared in German periodicals during the last two years on subjects relating to government reflect the unsettled state of German thought in the post-war period. That the republican and unitary principles of the constitution of 1919 have been by no means universally accepted is revealed in the controversial literature on these subjects. Nor has there been any hesitancy in attacking other features of the new governmental system. The positions taken by the different writers have been based for the most part upon analyses of the various constitutional provisions and speculations as to their probable effect. It may be disappointing that so little has been written with regard to the way in which the government has actually functioned, but it has evidently been the opinion of the Germans that the abnormal circumstances which have attended the early years of the republic have made it impossible to reach any accurate conclusions on the basis of present developments.

In an article entitled "Republik oder Monarchie,"[1] Dr. Hugo Preuss traces the history of the republican idea in Germany with the purpose of showing that the revolution of November, 1918, although the result of a sudden emergency, was nevertheless prepared through a long process of development. Emphasis is placed upon the close connection between the national and liberal movements of the nineteenth century. All students might not agree with his idea that democracy was the natural concomitant of German unification and was only held in abeyance by the policies of Bismarck and his successors. But from it as well as from present indications he concludes that the republican form of government is the only one under which German unity can be maintained.

Other contributions on the same subject[2] advance the argument that the record of the republic has been good in view of the difficulties with which it has had to contend. An interesting note is struck by one who calls himself a Prussian junker in that he urges the acceptance of the present constitution as a means of preparing the way for a strong future monarchy.[3]

The relation of the states to the *Reich* has received some attention. In a discussion of "Preussen und das Deutsche Reich,"[4] the expiration of

[1] *Deutsche Revue*, J. 47 (4), 1–21.

[2] S. Saenger, "Vier Jahre Republik," *Neue Rundschau*, J. 33 (2), 962–964; Otto Flake, "Für die Republik," *Neue Rundschau*, J. 32 (2), 1129–1137.

[3] "Um die Deutsche Einheit von einem preussischen Junker," *Grenzboten*, J. 80 (1), 289–294.

[4] By Dr. Fritz Hartung, *Grenzboten*, J. 80 (3), 52–60.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

the period mentioned in Article 167 of the Constitution is recalled by one student and argument is made for preserving Prussia intact. It is contended that the Reich can not get along without a strong Prussian state. In "Das Bayerische Problem,"[5] a strong plea for German unity is presented by a second writer. The Bavarian problem is held to be bound up with the questions of separatism, monarchy, and the position of occupational groups. It is, however, not merely a Bavarian but a German problem.

The opponents of a centralized system have attacked with vigor what they term the legislative despotism of the Reichstag. Two articles, "Selbstverwaltung und Staat"[6] and "Aufstieg oder Niedergang des Deutschen Gemeindewesens",[7] maintain the position that Article 127 of the Constitution providing for local autonomy is "nothing but a beautiful gesture." The declaration is made that the Reich through its taxing power and by other means has taken away much of the power formerly exercised by the localities. Stein is mentioned as the upholder of the right of self-government and a return to his principles is advocated as the only salvation for the nation.

An attack on the strong position of the Reichstag from another standpoint is made by Dr. Stier-Somlo in a rather lengthy discussion on "Die Lehre von der Gewaltenteilung und die Neuen Deutschen Verfassugen."[8] He sees peril in the great power given to the legislative bodies in the national and state constitutions. The problem as he sees it is to provide some check for the Reichstag with its uncertain party control and to secure greater independence to the cabinets. A short and bitter criticism of the same feature of the present government is to be found in another article which dwells upon the inconsistencies of the Constitution.[9]

Less controversial in character is a brief summary of the provisions of "Die neuen deutschen Landesverfassungen."[10] The strong position of the legislative chambers is recognized, but it is stated that the later constitutions of the northern states have sought to raise the cabinet above the position of a mere parliamentary committee. Mention is

[5] By Franz Wetzel, *Deutsche Rundschau*, B. 192, 43–49.

[6] Heinz Brauweiler, *Deutsche Rundschau*, B. 194, 7–14.

[7] Dr. Willy Berthold, *Zeitschrift für Staatswissenschaft*, J. 76, 93–113.

[8] *Zeitschrift für Staatswissenschaft*, J. 77, 1–51.

[9] Dr. Wolf Mannhardt, "Die neue Reichsverfassung in Theorie und Wirklichkeit," *Grenzboten*, J. 80 (2), 333–335.

[10] Dr. Koellruetter, *Deutsche Juristen Zeitung*, J. 26, 511–513.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

made of the Staatsrat of Prussia as the only second chamber in the state governments. This body is further considered under the title, "Der Staatsrat in der neuen preussischen Verfassung."[11] While it is here recognized that the strength of this body is not great, it is considered possible that it may be the symbol of a movement toward greater provincial power. This, the writer believes, is not for the best.

The evils which are apt to attend government by political parties are beginning to be discovered at first hand by the Germans. Danger is seen in the growth of a spirit which would subordinate the welfare of the nation to party success. In a discussion of "Parlamentarismus und Volksgemeinschaft,"[12] the view is taken that although the necessities of the times demand a united purpose, party feeling is greater than before the war and more pronounced than in England and France. The writer of "Deutsche Parteien"[13] hopes for the development of a two-party system which he thinks would make for greater stability and remedy some of the evils to be found at present. Another contribution on "Parteipolitik in den Gemeinden"[14] is concerned with the evils of the domination of national parties in local elections. The apparent predilection of the Germans for experts as cabinet members is combatted by another writer. He makes an argument for the political minister who has energy and tact even though he may lack technical training.[15]

The movement for functional representation is considered under the titles of "Stand und Staat"[16] and "Parlamentarismus und Berufständischen Gedanke."[17] The first stresses the need of another organization alongside of the Reichstag to protect fundamental rights and exercise some control over the government. The second attempts to show the deficiencies of the parliamentary system for solving the grave economic questions of the day and holds that the system of economic councils must be further developed. The writers of both articles see a great popular movement on behalf of functional representation which is daily becoming more significant.

A careful examination of constitutional provisions reveals to the

[11] Kuno Waltemath, *Zeitschrift für Staatswissenschaft*, J. 76, 350–354.
[12] Dr. August Müller, *Deutsche Revue*, J. 46 (4), 12–19.
[13] Fritz Kern, *Grenzboten*, J. 80 (1), 1–5.
[14] Von Loeber, *Grenzboten*, J. 80 (2), 163–167.
[15] Richard Eickhoff, "Fachminister und Parteiminister," *Deutsche Revue*, J. 47 (4), 147–149.
[16] Heinz Brauweiler, *Deutsche Rundschau*, B. 192, 160–177.
[17] Rudolf von Broecker, *Grenzboten*, J. 80 (2), 295–300.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

writer of "Zweck der Volksabstimmung"[18] that the initiative and referendum are secured by mere paper provisions of the Constitution and can have no real effect in controlling the Reichstag.

A description of the Supreme Judicial Court provided by the law of July 9, 1921, in pursuance of Article 108 of the Constitution appears under the title, "Die Staatsgerichthöfe für das Deutsche Reich."[19] In answering the question, "Sind die ordentlichen Gerichte verpflichtet verfassungswidrige Gesetze anzuwenden,"[20] a contributor, while admitting that the question is still an open one, is inclined to favor the doctrine that the acts of the Reichstag are subject to judicial review.

Discussions of foreign governmental problems include a study of the British problem of imperial federation,[21] a short survey of the English party system,[22] an article on the French presidency, and a sketch of the development of the parliamentary system in Sweden.[23] A description of the provisions of the new Austrian constitution written by a Vienna professor closes with the assertion that it is only a provisional arrangement and will have served its purpose if it holds Austria together until the time when the nation is able to take its place in greater Germany [24]

HAROLD C. HAVIGHURST.

[18] Dr. Willy Berthold, *Zeitschrift für Staatswissenschaft*, J. 77, 52–73.

[19] Dr. Gustav Wilke, *Deutsche Juristen Zeitung*, J. 26, 587–588.

[20] Dr. Bühler, *Deutsche Juristen Zeitung*, J. 26, 579–580.

[21] Dr. Karl Loewenstein, "Das Problem der Föderalismus in Grossbritannien," *Annalen des Deutschen Reichs*, J. 54, 1–95.

[22] *Grenzboten*, J. 80 (4), 277–278.

[23] *Deutsche Revue*, J. 46 (1), 228–234.

[24] *Deutsche Juristen Zeitung*, J. 26, 18–19.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

NEWS AND NOTES

Personal and Miscellaneous

EDITED BY FREDERIC A. OGG

University of Wisconsin

The program for the Columbus meeting of the American Political Science Association, December 27–29, includes sessions devoted to local and municipal government, popular government and parties, the League of Nations, and colonial government and Far-Eastern affairs. Under the last two heads there will be papers on the permanent Court of International Justice and the mandate system. The committee on political research will report at one session, discussion on its report being continued at an ensuing luncheon conference. A second luncheon conference will be devoted to public administration. There is to be a joint meeting with the American Historical Association and the National Council for the Social Studies on the teaching of the social studies, each of the three participating organizations to be represented by two speakers; also the usual evening meeting for the presentation of the addresses of the retiring presidents of the American Historical Association and the American Political Science Association. Another joint evening meeting is under consideration to be addressed by leaders in the political and scholastic world. The headquarters of the association will be the Seneca Hotel. Copies of the complete program will be mailed to all members of the association on or about December 1; they may be had by non-members on application to the secretary.

Professor W. W. Willoughby has been granted leave from the Johns Hopkins University until February 1 of next year to deliver a course of lectures, as Tagore Law Professor, at the University of Calcutta, India. His subject will be "Fundamental Concepts of Public Law."

Dr. David P. Barrows, retiring president of the University of California, has gone to Africa for a year of research in colonial administration and politics.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Professor Munroe Smith of Columbia University, a former president of the American Political Science Association, is taking a trip around the world.

Professor James Q. Dealey of Brown University spent the past summer in travel and research in England.

Dr. Charles A. Beard returned in the late summer from an extended visit to Japan. In company with Viscount Goto, mayor of Tokio, he made a tour of the country lecturing on civic subjects to stimulate interest in municipal government. He also made an economic and financial survey of Tokio for the new Institute of Municipal Research, which he was instrumental in founding. His lectures are to be published in English and Japanese. Following the earthquake Dr. Beard was recalled to Japan to aid in planning the work of civic reconstruction.

Professor T. R. Powell of Columbia University is lecturing this year in the department of political science of the University of California.

Professor Lindsay Rogers of Columbia University was in England during the summer. He is now visiting lecturer at Amherst College.

In the department of government at the University of Texas Adjunct Professor C. P. Patterson has been advanced to associate professor, and F. M. Stewart and M. W. Graham from instructors to adjunct professors. Professor H. G. James, who spent last year in Brazil, returned to the university in August. Visiting instructors during the summer session were Professor A. B. Butts of the Mississippi Agricultural and Mechanical College, Professor Charles E. Martin of the University of California (Southern Branch), and Professor Ralph S. Boots of the University of Nebraska. Professor Patterson taught in the summer session of Trinity College.

Professor Edward S. Corwin of Princeton University has assumed the editorship of a series of books on political science to be published by Henry Holt and Company. Professor Charles E. Merriam of the University of Chicago is editing a series on political parties and practical politics to be published by The Macmillan Company.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Professor Francis B. Sayre of the Harvard Law School is on leave of absence to serve for a year as financial adviser to the government of Siam.

Dr. E. D. Graper of Columbia University has been appointed assistant professor in the department of political science of the University of Pittsburgh.

Professor Milton J. Conover of New York University has been selected to write a history of the United States Courier Service. This Service, composed of army officers, operated in almost every country of Europe, as well as in Asia Minor, in 1918–1919.

Professor J. M. Gaus, formerly of Amherst College, is now a member of the department of political science at the University of Minnesota.

Dr. Walter Thompson has resigned as instructor in political science at the University of Wisconsin and has been succeeded by Mr. Allan F. Saunders, formerly an instructor at the University of Pennsylvania.

Mr. H. B. Calderwood, graduate student at Wisconsin in 1922–23, has been made an instructor in political science at Ohio State University.

Professor Earl L. Shoup of Western Reserve University is engaged in a survey of scientific research by state agencies in Ohio under the auspices of the National Research Council. The results of a similar survey in Illinois, carried on by Professor Leonard D. White of the University of Chicago, have recently been published by the Council; surveys in a number of other states are projected or under way.

Mr. Paul M. Cuncannon, who received his doctor's degree at Princeton in June, has been made an instructor in political science at the University of Michigan.

Dr. Roger H. Wells, formerly a graduate student and assistant in government at Harvard University, has been appointed associate in economics and politics at Bryn Mawr College.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

The municipal election in Cleveland on November 6 is of special interest to political scientists because the twenty-five members of the city council are chosen by the Hare system of proportional representation. Professor A. R. Hatton, the author of the new charter, was one of the candidates. Dr. Chester C. Maxey of Western Reserve University served as a member of the staff of the Citizens' League, devoting himself to investigating the qualifications of councilmanic candidates. He was also retained by the board of elections to assist in the proportional representation count.

The National Conference on the Science of Politics held at Madison, Wisconsin, September 3–8, proved to be a very successful meeting. The plan for such a conference was launched at the Chicago meeting of the American Political Science Association last December, and a committee was placed in charge consisting of Professor A. B. Hall, chairman; Professor C. E. Merriam, Professor A. N. Holcombe, Dr. F. P. Gruenberg, and Dr. Luther B. Gulick. Subsequently it was decided to hold the meeting at Madison, and a local committee was appointed to make necessary arrangements. The conference was attended by approximately ninety persons from all sections of the country, representing both academic and non-academic interests and activities. In accordance with the fundamental purpose of providing opportunity to search intensively for the essential problems in political science, and to discuss methods to be pursued in dealing with these problems, the members of the conference were distributed among eight round tables, with leaders as follows: (1) Psychology and political science, C. E. Merriam, professor of political science, University of Chicago; (2) problems and methods in civil service with special reference to efficiency ratings, W. E. Mosher, Bureau of Municipal Research, National Institute of Public Administration; (3) research in public finance, F. P. Gruenberg, director of the Philadelphia Bureau of Municipal Research; (4) legislation, H. W. Dodds, editor of the National Municipal Review; (5) political statistics, L. D. Upson, director of the Detroit Bureau of Governmental Research; (6) public law, E. S. Corwin, professor of jurisprudence, Princeton University; (7) nominating methods, V. J. West, professor of political science, Stanford University; and (8) international organization, P. B. Potter, associate professor of political science, University of Wisconsin. Each round table met twice a day, and at evening sessions the leaders in rotation reported to the conference on the work of their respective groups.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

As it is planned to publish in the next number of the REVIEW an extended report covering the methods, findings and recommendations of the round tables,[1] no attempt will be made to present a summary here. It was the general feeling of members of the conference that the report will be of great interest to students of politics, and may be expected to contribute to the clarification of tasks confronting workers in the field. It was felt that the conference in one form or another ought to be continued, and at a final business session the executive committee was reëlected, with power to add to its membership and to formulate plans for the conference of 1924, including selection of the place of meeting. Certain of the round-table groups disbanded with the idea of keeping in touch throughout the year, coming together to report progress and lay out further work at the next conference. It is not expected that the conference will in any way supersede the annual meetings of the American Political Science Association, but that it will supplement these meetings by furnishing an opportunity for a more leisurely and intensive discussion of political topics.

An Institute of Public Administration has been organized in Great Britain, having for its aims: (a) the development of the civil service and other public services (both national and local), and (b) promotion of the study of public administration. This had been established as the result of conferences of the Society of Civil Servants, the National Association of Local Government Officials, and other specialized associations representing the civil and municipal services. Membership is open to those who have performed responsible work of an administrative or executive character in the public services, or who have performed work of special value in connection with the practice or study of public administration. Provision is also made for associates, open to any person employed in the public services; and for a limited number of fellows, elected by the council from those who have performed work of conspicuous merit in connection with public administration. Viscount Haldane is president,—Mr. H. G. Corner is honorary secretary; and the council includes Sir W. H. Beveridge and Mr. Harold J. Laski of the London School of Economics and Political Science, and Sir Josiah Stamp. Regional groups are being formed at Birmingham, Manchester, Liverpool, Glasgow, Belfast and other large towns in

[1] It is expected that advance copies of this report will be available in time for the annual meeting at Columbus; and, if possible, copies will be sent before the meeting to those who make application to the secretary of the association.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

the United Kingdom. It is also proposed to appoint a number of research committees to investigate special problems.

During the spring of 1923, a series of meetings were held at the Old County Hall, Spring Gardens, London; and a course of lectures on the Business of Government was given at the London School of Economics. A summer conference was held in Trinity College, Cambridge, from July 27 to 31, on problems of local and central government, with sessions on finance, education, municipal problems and public servants. Among the chairmen and speakers were Lord Eustace Percy, parliamentary secretary of the ministry of health, Hon. Austen Chamberlain, Mr. William Graham, M.P., and Sir Stanley Leathes, first civil service commissioner.

Four numbers of a quarterly *Journal of Public Administration* have been issued. The headquarters of the Institute are at 17 Russell Square, London.

A second International Congress of the Administrative Sciences was held at Brussels, September 13–16,—the first Congress having been held in the same city in 1910. The sessions of the congress were carried on in five sections dealing with, communal administration, administrations intermediate between the state and communes, central organizations, international administration, and preparation for public function and the perfecting of administrative methods.

The Academy of International Law, the idea of which was conceived at the Second Peace Conference in 1907, and was legally organized in 1914, held its first session at the Hague during the past summer. According to its statute the academy is intended to be a "center of higher studies in international law (public and private) and cognate sciences, in order to facilitate a thorough and impartial examination of questions bearing on international relations. To this end, the most competent men of the various states will be invited to teach, through regular courses, lectures, or seminaries, the most important matters, from the point of view of theory and practice, of international legislation and jurisprudence, such as they result *inter alia* from deliberations of the conferences and arbitral awards." The necessary funds for the maintenance of the academy are provided by the Carnegie Endowment for International Peace. The formal opening this year took place on July 14 in the presence of a large number of scholars, diplomats and representatives of governments and of the League of Nations. The

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

sessions were divided into two parts: The first extending from July 16 to August 3; the second from August 13 to September 1. Lectures were given at the Peace Palace in French, since they were intended "for the intellectual *élite* of the different nations." There was considerable sentiment in favor of the use of English for a certain proportion of the lectures, and it is not improbable that in the future this will be arranged. All the lectures except those of Professor Le Fur (who lectured on the general theory of the state) dealt with questions of international law. Discussion of questions relating to the laws of war was excluded at the recent session for the reason that such questions, "owing to the still recent memories of the world conflagration, can hardly be studied in the objective and impartial spirit which the academy intends to follow."

Fifteen courses of lectures were given during the first period, and sixteen during the second. The lecturers included Mm. de La Pradelle Le Fur, Weiss and Basdevant of France; Esyinga and Loder of the Netherlands; de Visscher and Baron Rolin of Belgium; Cavaglieri and Anzilotti of Italy; Politis of Greece; Borel of Switzerland; Mandelstam of Russia; de la Barra of Mexico; Adatci of Japan; Hammarskjold of Sweden; de Bustanante of Cuba; Alvarez of Chili; Strisower of Austria; Triepel, Neumeyer and Schückung of Germany; Lord Phillimore and Sir John Fisher Williams of Great Britain; and President Butler, Dr. J. B. Scott, Baron Korff, and Professors E. C. Stowell, E. M. Borchard, G. G. Wilson, and J. W. Garner of the United States.

Altogether 350 auditors were registered for the courses, including 35 women. About two-thirds of them were from the Netherlands. The United States came next with 15 representatives and Czechoslovakia third with 13 representatives. Of the auditors 121 were lawyers, 55 were students, and 51 were functionaries and diplomats. There is every reason to believe that had the program been made public earlier in the year the attendance, especially from the United States, would have been considerably larger. The general opinion among those who attended the academy was that the experiment was a distinct success, and arrangements for the session next year are already being made. Assurances have been given that the program will be completed and published in the early part of the year.

The second Vienna International Summer School was held from September 11 to 28. A British advisory committee and university professors from other European countries coöperated with the Austrian

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

committee. A numerous series of lectures were given, in three main groups,—economics and politics, art and philosophy, and law and history. Among these may be noted the following: Dr. Brockhausen, the reform of administration and its democratization; Dr. Wittmayr, the problem of organization of the German constitution and its significance for Europe; Dr. Bushbeck, evolution of the continental state; Dr. Kelsen, the Austrian constitution; Dr. Pribram, the system of European alliances between 1879 and 1914; and Dr. Redlich.

The Institute of International Law held its annual meeting at Brussels, August 4–10. It was its fiftieth anniversary and was celebrated by several festivities. Fifty years ago the president of the institute, Mr. Rolin-Jacquenim, was elected its first secretary, and the secretary, Mr. Rolin, was its first assistant secretary. By a unanimous vote, the institute made Mr. Rolin now its honorary president. The King received a special delegation of the Institute and the Japanese ambassador gave it a magnificent banquet.

Three reports were discussed by an unusually large number of attending members; Professor Pillet of Paris presented a report on the question of foreign judgments, which took up most of the morning session, the main matter of discussion being an effort to reconcile the Anglo-Saxon and continental European theories. The second report was made by Professor Visscher, of Ghent and Dr. Adatchi, Japanese Ambassador to Belgium, on the most interesting question of Article X of the League Covenant; the two authors gave the subject a very enlightening interpretation that is sure to make a mark for itself in the history of this famous article. The third report was presented by Mr. Politis, former Greek foreign minister, and also met with the approval of the Institute.

The next session is to be held at Vienna, Austria, in September, 1924, Professor L. Stzisower of the University of Vienna having been elected president.

An inquiry into the present content, organization and tendencies of history teaching in our schools is being made at the request of the committee on history in the schools of the American Historical Association. The work is in charge of Professor Edgar Dawson of Hunter College, secretary of the National Council for the Social Studies, under an appointment made in the Institute of Educational Research, Teachers College, Columbia University. The Institute will contribute to the investigation expert advice on the conduct of such an investigation and

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

financial aid in getting the work done; but the character of the information to be collected and the organization of it for publication will be in the hands of the committee of historical scholars of which Professor W. E. Lingelbach of the University of Pennsylvania is chairman. Both the investigation and the report will be limited to objective information collected in a scientific spirit. Such an inquiry will naturally consider to some extent the status of other social studies as well as history. Those who are interested in such an undertaking are invited to send information, suggestions or inquiries to Mr. Dawson, 425 West 123d St., New York City.

The Institute of Politics. Two years ago, Professor James T. Shotwell of Columbia University wrote, under the title of "Intelligence and Politics"[1] a brief essay of uncommon suggestiveness and force. He recalled the bewilderment of great numbers of the American people when, in 1917, they found themselves a responsible element in a struggle of seemingly remote and complicated origins and yet which threatened, so they were told, the political institutions to which the century and a half of national existence had been dedicated. With whatever clarity the issues had been resolved for those in authority at Washington or for the informed and educated minority, there were yet vast numbers of our people who lacked sufficient data to reach satisfactory conclusions on the questions involved. Thousands of letters came to Washington from these people "wanting to know just why they might be called upon to serve and just what would make the world safe for democracy."

Pending the statement by the government of the ideals and purpose of the war and the subsequent attempts at popular enlightenment, the immediate and vigorous response of the nation was due, not so much to a rational and understanding public will, as to the emotional impulses and sentiments commonly designated as patriotism. "Simple pure loyalty to 'Uncle Sam' . . . ," says Prof. Shotwell, "so far as any one can see, saved the day, rather than a clarified idea of the reasons for the war." And yet, he continues, "valuable as such a sentiment may be, it is not as sound an element of national life to rely upon in a crisis as the experience might lead one to suppose. If the loyalty is unquestioning, it may be deceived; if it questions, it may falter. Disaster may front either alternative."

[1] James T. Shotwell, *Intelligence and Politics*, New York, 1921, The Century Co.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

There is much in the post-war temperament of America to warrant this conclusion that we lacked adequate popular convictions concerning the issues of the war, with respect, at least, to those elements of the war program that had to do with the establishment of a constructive international peace. Loyalty and patriotism may be sufficient to safeguard immediate interests but action beyond this range requires the more thorough-going process of political education.[2]

In his analysis of this problem of the intellectual preparedness of a democracy, Professor Shotwell holds that there must be, first of all, a change in the methods through which political questions are presented to the public mind. "What we need," he says, "is applied social science." . . . "We must work at the data of national problems in the same spirit as that which Pasteur applied to the investigations which changed the study of medicine from quackery to science." It is not sufficient that this temperament prevails already in the isolation of academic life. New agencies and devices must be created which will project it into the life of the world at large. "Facts must be supplied where the need for them is greatest; and a scientific spirit must be developed where its operation will be most effective." Democracy has a promising and insatiable appetite for facts and only in proportion as these are supplied will reason and conviction dictate the course of public affairs. The concrete proposal made by Professor Shotwell in this connection relates to the possibility of informing opinion through the medium of political parties. If parties, instead of making their appeal through prejudice and emotion, were to work out authoritative data on national problems, through the medium of expert research committees, and wage campaigns upon a structure of facts, the political thought of the country would be enormously elevated. The effectiveness of such methods in practical politics has been adequately demonstrated by the Labor Research Department of the British Labor movement. In no small measure the rise of the Labor party to its present position of power and esteem has been due to its scientific assemblage of data on national problems and to the superiority enjoyed by its debators in the presentation of these facts. And in one field of political thought especially—that of international relations—the pronouncements of its Research Department have had a wide and influential hearing.

It would be inappropriate, perhaps, to say that in the organization of the Institute of Politics three years ago at Williamstown there was the

[2] Cf. The article by Herbert Croly on, "American Withdrawal from Europe—How and Why," *The New Republic*, Sept. 12, 1923.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

conscious purpose of innovation in the method of approach to the study of politics, or that extensive hopes were entertained of a wide dissemination of facts upon international affairs. More likely there was merely the conviction that there were sources of thought and information in the country that should be coördinated; that experience would gradually reveal the methods through which the Institute could most effectively proceed and would indicate the promise of its future usefulness. Now after three somewhat experimental sessions the work of the institute has become more clearly defined and it seems, in fact, to have made a distinctive contribution to the method of studying political affairs.

If we are seeking a medium through which the study of politics may become less cloistered and ineffectual and which yet preserves a scientific and dispassionate spirit, a satisfactory approximation to this ideal has been afforded by the three sessions of the Institute of Politics. The basis of such an estimate is to be found, chiefly, in the work of the round-table conferences at Williamstown. Not that as yet, in every case, have these round-tables reflected a standard of highly capable and systematic study of the problem at hand. But the feasibility of such aims becomes increasingly apparent and the ways and means of their attainment are revealed in each successive session.

It is by no means difficult to visualize these round-table conferences as research committees inaugurating a distinctive era in what may be called applied political science. This would require, of course, something more than assembling for a month at Williamstown and engaging in discussion, which, however stimulating and informing in itself, would be only one element in a program of this character. It would mean the selection considerably in advance of the sessions, not only of round-table leaders, but of a nucleus of members, as well, who, through preliminary study of the topic or experience in practical affairs, would be able to bring to the conference a body of material ready for examination and discussion. Under these circumstances there could consciously be brought to bear upon the particular subject a body of expert information obtained from sources so diverse that these conferences would reflect a breadth of view unparallelled in the present range of political study. Such a procedure, indeed, has had already a substantial beginning in many of the round-tables, and their work generally throughout the sessions of the Institute has been of an extremely able character. It is their present success which supports the belief that groups of this order, carefully selected and organized, may be the beginning of a far-reaching change in the method of political research.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Given, however, these round-table conferences as research committees working out data and facts on national or international affairs, there yet remains the problem of introducing their findings into the political thought and action of the day. It is not easy, of course, to estimate the positive influence of a gathering such as the Institute of Politics. It has attracted each session a large number of representative men and women who, in their respective walks of life, are undoubtedly forces in the processes of molding opinion. Its proceedings have received a considerable amount of publicity and discussion in the daily press and its sessions are attracting an increasing number of special writers from the more thoughtful reviews. However considerable this influence has been, there is yet reason to believe that it can be substantially increased, when the institute develops some means of presenting in more adequate and permanent form the results of its round-table studies. Consider, for instance, the subject-matter of certain round-table conferences of the past three sessions, noted here by reason of the particular widespread interest in the questions discussed. Among the topics may be found, the Treaty of Versailles; Reparations and Inter-Allied Debts; the League of Nations; the International Problems of the Pacific; the Conduct of Foreign Relations under Democratic Conditions; the Outstanding International Problems of the American Continent. There is undoubtedly, in the country at large, an active demand for information upon these questions, which would have welcomed investigations under the auspicies of the Institute of Politics. Such studies, incorporated in some form less transitory than newspaper and magazine reviews, yet suitable for widespread use, would be an immensely important factor in the political education of the country. With progress in the methods and organization of these round-tables, it is difficult to conceive of surroundings from which truth on questions of this nature would be more likely to emerge.

The third annual session of the Institute which convened this summer showed conclusively the essential vitality of the undertaking. There was a substantial increase in enrollment which indicates an early problem of limitation of numbers. The diverse and representative character of the membership was maintained and included this year many members of the two former sessions. The most noteworthy change in the organization of the institute was the limitation placed upon attendance at the round-tables and the restriction of members to a choice of one only of these groups. In addition to the regular round-tables, two open conferences were conducted which held afternoon sessions and to which all members of the institute were privileged to come.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

The lecture courses this year enjoyed a popularity and esteem which demonstrated the high value they may serve on the program of the institute. Five regular courses were given by lecturers from foreign countries: Sir Edward Grigg from England; Canon Ernest Dimnet from France; Count Harry Kessler from Germany; and Dr. Estanislas Zeballos from Argentina. Special addresses were delivered by General Tasker H. Bliss, Sir Paul Vinogradoff, Baron Sergius A. Korff and Viscount Birkenhead. The speakers from the foreign countries are, in a sense, the expositors of the international policies of their respective states and the lecture courses afford an opportunity for the statement of these nationalist viewpoints. The addresses, however, are never presented in a temper of intense nationalism and they form the basis of wide discussion and analysis on the part of the members of the institute. In an atmosphere as discerning and highly critical as that which obtains at Williamstown, special pleading does not flourish and there is small chance for a misstatement of fact to go unchallenged.

The open conferences, inaugurated this session, were held on alternate afternoons. The conference on "The Problem of Raw Materials and Foodstuffs in the Commercial Policies of Nations" was conducted by Mr. William S. Culbertson of Washington, D. C., and Mr. Philip Kerr of London was leader of the other conference which dealt with "World Problems." Each afternoon practically the entire membership of the institute gathered at these sessions, which consisted in considerable measure of addresses given by experts in the subject-matter of the round-tables. Some fifteen special speakers were invited to the the institute to address the conference conducted by Mr. Culbertson, and its sessions impressed the members generally as being one of the most productive features of the entire program. A similar method was followed in the conference conducted by Mr. Kerr. During the first week, its discussions centered around the function of diplomacy, international law, and force in international relations. The second week was devoted to problems connected with Asia and Africa—the growth of nationalism in Asia; the relation between advanced and backward peoples; the mandatory system and questions of migration. Europe and the treaties of peace was the general topic of the third week, which led to a consideration of such problems as nationality and self-determination; Democracy, Bolshevism, and Fascism; The Ruhr and reparations. The concluding week brought the conference to a consideration of the peace plans of today, which embraced: the League of Nations; the World Court, Disarmament; the Outlawry of War; the British Commonwealth, and the Monroe Doctrine.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

These two open conferences placed before the members of the Institute, in broad outline at least, many of the major political and economic problems in the world today. In the general scheme of the work of the Institute, their inauguration marks an exceedingly valuable addition. There has been need of some means, in addition to the lecture courses, of bringing members of the Institute together for the presentation of topics beyond the range of those studies in the specialized groups. It was desirable, also, that all the members of the institute should have the opportunity of hearing the various round-table leaders and other authorities at the institute discuss, if only in summary fashion, topics upon which such speakers would be authoritatively informed. The open conferences afford the occasion for this and, although they carry forward a distinct and separate program, they serve in a number of ways to coordinate and relate the work of the various round-tables. The program of the round-table conferences for the third session was as follows:

ROUND-TABLE CONFERENCES, INSTITUTE OF POLITICS, 1923

1. The International Aspects of the Russian Question
   Boris A. Bakhmeteff, Former Russian Ambassador at Washington, D. C.
2. International Problems of the Pacific
   George H. Blakeslee, Professor of History and International Relations, Clark University.
3. Race as a Factor in World Politics
   William McDougall, Professor of Psychology, Harvard University.
4. The League of Nations
   Royal Meeker, Commissioner, Department of Labor and Industry, Harrisburg.
5. The Conduct of Foreign Relations Under Modern Democratic Conditions
   DeWitt Clinton Poole, Chief, Division of Eastern European Affairs, Department of State, Washington, D. C.
6. Law of the Air
   Jesse Siddall Reeves, Professor of Political Science, University of Michigan.
7. The Outstanding International Problems of the American Continent
   Leo S. Rowe, Director-General Pan-American Union.
8. The Near East. War-time Diplomacy and Post-war Problems
   William Linn Westermann, Professor of Ancient History, Cornell University.

"History has no surer generalization to offer," says Professor Shotwell, in the essay referred to above, "than that war leaves the gravest issues still to be fought for." There will be no reason for history to modify this generalization in the light of the events of the past few years. A war which excelled in mobilizing the forces of democratic nations leaves those democracies unable to sustain coöperative effort and the

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

international principles proclaimed in their name far from actual realization. But whatever may be the convictions of scholars relating to the unwon issues of the war or concerning the proper relations of states in general, there yet remains the problem of introducing to the masses of men a wider knowledge and insight into international affairs. With respect to this problem and the means of meeting it, General Bliss, in the course of an address at Williamstown this summer, said:

"I think that the faculties of our colleges and universities have an opportunity of elaborating and teaching a modern system of political philosophy in which a cardinal doctrine shall be: 'The duty of the citizen to do all he can to assist the state in determining its true and wise relations to other states, and then to help his state to do all it can to bring those relations into living force.' Why should this not be begun under the auspices of an institute like this? It would soon play a great part in the creation of a sane, conservative and practical sentiment in the nation and would be bound to influence that in other nations."

BRUCE WILLIAMS.

University of Virginia.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

BOOK REVIEWS

EDITED BY A. C. HANFORD

Harvard University

Federalism in North America: A Comparative Study of Institutions in the United States and Canada. By HERBERT ARTHUR SMITH. (Boston: The Chipman Law Publishing Company. 1923. Pp. v, 328.)

In comparing the governments of the United States and Canada, Professor Smith does not resort to the common expedient of describing each government in a separate section of the book. Instead, he analyzes the federal idea, the executive government, the legislative power, justice and law, the public purse, external relations and the practice of politics as exemplified in each, and though recognizing that professors of politics are not necessarily gifted with political wisdom (p. 189) he is not afraid to punctuate his descriptive material with criticism. His modest disclaimer can not conceal the fact that his observation has wandered beyond academic dogma to practical politics. The result is an unusually good book on comparative politics—good not only for the student but also for the practical statesman both in Canada, the author's own country, and particularly in the United States.

In a concluding chapter the author notes the fact, which can hardly have escaped the attentive reader, that adverse criticism is more often directed at American than at Canadian institutions (p. 237) and apologizes for it with the observation that perhaps, after all, American statesmen have not aimed at efficiency in government but at something else, liberty perhaps. Few American readers of this book, however, will be so steeped in patriotism that they can fail to acknowledge the justice of many of these criticisms. The unnecessary complexity and resulting slowness of the administration of justice with its two series of courts; the extraordinary system of public finance (only partly ameliorated by budget laws) with its lack of coördination between budget items and between appropriations and revenue, assuring the pork barrel and log-rolling; the want of proper authority to meet

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

international responsibilities; the multiplicity of elective officers leading to invisible government and remedies, such as the direct primary, worse than the disease, are all known to Americans, but have seldom been so well analyzed as in this careful comparison with a system established among a similar people in a similar environment but comparatively free from these evils.

Professor Smith attributes the shortcomings of the American system in part to the dogmatism of democracy, which has insisted on many elective officers and many elections (pp. 54, 117, 233); in part to the dogma of the separation of powers, which has prevented financial and legislative coördination and political responsibility (p. 131); and in part to the intense particularism of the colonies in 1787 which made unfortunate concessions to state sensibilities necessary (pp. 7, 202), and led to dualism rather than unity in the federal system (pp. 3–7). Perhaps there is no instance in which this latter difference is better illustrated than in the power of the Dominion government to disallow provincial laws for purely political reasons, a power which has no parallel in the American system. Though seldom used, this power made it possible for the Dominion government to avoid international difficulties by disallowing anti-Asiatic laws passed in some of the western provinces (pp. 14, 218). In emphasizing the greater unity of the Canadian system, however, Professor Smith implies that in the United States, Congress can not on all occasions give full effect to treaty obligations (pp. 147, 218), a contention clearly refuted by the Supreme Court's decision in the migratory bird act case (Missouri v. Holland, 252 U. S. 416, 1920).

American readers will be stimulated by frequent statements which, though generally accurate, conflict with traditional American idols. Thus we are asked to recall that "the American constitution is now the oldest in the world" (pp. 15, 241). "The events of recent years have left it (the United States) the only real monarchy of first-class importance in the civilized world" (p. 24). Though the war power is vested in the United States in Congress and in Great Britain in the executive "the importance of this difference is rather theoretical than practical" (p. 34). Foreign observers must not forget "the intense conservatism of the American people in everything that relates to their national institutions" (pp. 77, 241). "In 1798 the cause of public dishonesty succeeded in obtaining a kind of national charter by the passage of the eleventh amendment" (p. 138).

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

The author notes that the Canadian government is organized like a successful business corporation with its shareholders, directors and general manager, and that no experience in business organization can be found to justify the American system (p. 241), but he is probably never wiser than when he reflects that reform in American institutions is unlikely because of American conservatism, the influence of political dogma in America and the vested interests of party managers (p. 242). He also urges a number of reforms in the Canadian system (pp. 243–250), and no part of the book will be more interesting to American readers, particularly those interested in international organization, than his account of the evolution of Canadian autonomy in foreign affairs (pp. 159, 193).

American readers will probably be surprised to find President Jackson referred to as a champion of state's rights in spite of his attitude on the Georgia-Cherokee controversy (p. 16). "Tax bills," which the author says may lawfully originate in the United States Senate, must be an error for appropriation bills (p. 75). The statement that the states receive no money from Washington can hardly hold in view of federal militia, maternity and similar acts. To the reviewer there seems to be some confusion of American constitutional limitations due to guaranteed rights of individuals and the separation of powers with those due to the federal system (pp. 66–70). The judicial function of nullifying legislation on the latter score seems to be little different in the two countries. The greater limitation of legislative competence in the United States is due to judicial action on the first two scores, which have no parallel in Canada.

In the main, however, the author has fairly expounded the intricacies of the American system and his book should prove a welcome addition to the libraries of American political scientists. The constitutions of the United States and of Canada are printed in appendices and a rather brief index concludes the book.

QUINCY WRIGHT.

University of Chicago.

Federal Subsidies to the States. By AUSTIN F. MACDONALD. (Philadelphia: World Printing Company. 1923. Pp. 122.)

When the importance of federal subsidies to the states is considered, it seems astonishing that the subject has not stimulated more discussion. Shorter articles have been published in periodicals. Some of these have dealt with the question in general; others have treated

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

certain kinds of federal aid. However, until the publication of this treatise by Dr. Macdonald, there has not been available a fairly comprehensive treatment of the whole subject of federal-grants legislation. This study, therefore, fills a real need.

Dr. Macdonald approaches the subject from the historical and descriptive rather than from the analytical or functional point of view. He presents the development of federal-aid legislation to promote certain objects, the historical basis for the legislation, the provisions of the several acts, and the extent to which the states have responded. In this manner he discusses federal-aid legislation on the following subjects: education, forest-fire prevention, highways, national guard, prevention of social diseases, maternity and infant hygiene, canals, and reclamation. A brief introductory chapter discusses federal grants in general; another, subsidies in foreign countries; and, in conclusion, an analysis is made of the subsidy system.

The study is valuable as a painstaking summary of this field of federal legislation. Its principal weakness is its brevity as it is not to be expected that the subject could be given adequate consideration in a treatise of 120 pages. The constitutional phases of federal-grants legislation offer an interesting field for speculation, but this is given only passing notice here and there. The general problem of centralization is also given less attention than it deserves. In the concluding chapter an analysis of the problem is attempted, but this consists principally of questions and somewhat unconvincing answers, or citation of the opinion of others. Inherent difficulties and limitations of centralized control, for example, the problems of legislative and administrative areas, regionalized public opinion, and local interests are not considered. This, however, is not a criticism of the content of the study, but rather of the omissions. The author evidently intended to confine himself to an accurate summary of federal-subsidies legislation, and he accomplished what he started out to produce, a reliable and comprehensive description of federal-aid legislation. As such the study will occupy an important place in the literature of political science.

WALTER THOMPSON.

University of Wisconsin.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Philippine Government. By GEORGE A. MALCOLM and MAXIMO M. KALAW. (D. C. Heath and Company: New York. 1923. Pp. xxiv, 373.)

The authors of this volume are well known by reason of their former publications dealing with the Philippines. Mr. Malcolm, justice of the supreme court of the Philippine Islands, published a few years ago the second edition of his scholarly treatise on *The Constitutional Law of the Philippine Islands;* and Mr. Kalaw, head of the department of political science and dean of the college of liberal arts of the University of the Philippines, will be remembered as the author of *Self Government in the Philippines* and *The Present Government of the Philippines.*

Though obviously intended as a textbook for use in Filipino schools, the present volume furnishes an account of the political institutions of the Philippine Islands which will be of value to all who desire a knowledge of the governmental organization of this Pacific dependency of the United States. The first one hundred pages trace in a brief but illuminating manner the course of constitutional development in the Islands under Spanish and American control. Then follows an account of the present governmental structures, insular, provincial and local, which is almost purely descriptive in character. Little attempt is made to show the extent to which the various agencies which are described have worked efficiently or the reverse. For example, in dealing with the Philippine National Bank no reference whatever is made to the vicissitudes of that institution. In other words, there is no discussion of the various political and administrative problems that are presented in the Philippines. There is, however, a brief objective statement of the movement for independence, but no expression as to the wisdom or nonwisdom of that movement.

It is surprising to find that in the brief description that is given of the system of public administration in the United States, in order to compare with it the Philippine system, no mention is made of the Budget and Accounting Act of 1921. In fact, the account given is of conditions that obtained prior to the passage of that most important reform measure.

The reviewer is not quite satisfied with the statement of the authors that the United States Supreme Court decided in the Insular Cases, that the Constitution of the United States is not operative in the Islands, except as to certain specific provisions, as, for example, the Thirteenth Amendment. The fact, of course, is that the Constitution

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

is the sole source of legal authority for whatever powers are exercised by the United States over or within any territory subject to its jurisdiction, but that certain of the limitations upon the exercise of federal powers, which the Constitution specifies, do not apply in the case of "unincorporated" dependencies such as the Philippines.

In an appendix are given the Memorial of the Philippine Parliamentary Mission to the United States, presented to the President in June 1922, and his reply thereto. It seems a pity that there should not also have been given the text of the "Jones Act" of Congress of August 29, 1919, and that most important state paper, drafted by Elihu Root, the instructions of April 7, 1900, issued by President McKinley to the Second Philippine Commission.

The volume contains numerous well-selected illustrations.

W. W. WILLOUGHBY.

Johns Hopkins University.

Rational Basis of Legal Institutions. By Various Authors. (New York: The Macmillan Company. 1923. Pp. xxxii, 603.)

This book is the latest to be issued in the Modern Legal Philosophy Series. It contains an editorial preface by Professors John H. Wigmore and Albert Kocourek, of Northwestern University, and an introduction by Justice Holmes of the Supreme Court of the United States. Its object is to set forth the principal reasons for rationally supporting or assailing certain of our fundamental legal institutions. The institutions selected are five, namely, liberty, property, succession, family, and punishment. The method of dealing with them has been to set forth with some fullness the views of a number of writers, who represent not purely individual notions but schools or systems of thought. The writers selected cover a wide range, both in time and in nationality. There are extracts, for example, from Herbert Spencer, John Stuart Mill, Jeremy Bentham, John Locke, and G. W. F. Hegel among the older writers, and also from such moderns as Roscoe Pound, Richard T. Ely, H. G. Wells, Thomas N. Carver, Paul Elmer More, Havelock Ellis, Elsie Clews Parsons, and a number of others. A brief statement is made respecting each of the writers, with a bibliography of his leading works.

The field to be covered, even when confined to the five subjects mentioned, is so great, and the number of writers from whose works

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

extracts have been taken so considerable, that it has been necessary that the extracts should be brief. Nevertheless, these seem to be sufficient in substantially all cases to indicate with reasonable fullness the views of the writer in question. No attempt is made by the editors to comment on the views set forth, or to draw any conclusions of their own. The various opinions, often in sharpest conflict, are left to speak for themselves.

Although the writer of this review is nominally a member of the editorial committee in charge of this series, he feels no hesitation in expressing himself concerning the book, as credit for conception of the work and selection of the contents, as well as for editorial supervision, belongs to others, chiefly to Professor Wigmore and to Professor Kocourek. It goes without saying that inclusion in the book of any particular view does not imply endorsement of that view by the editorial committee or by any member of it. While perhaps not all of the writers from whose works selections have been made are properly to be described as philosophers, the purpose has been to set forth views which might reasonably be considered by rational persons, even though not fully endorsed by them. To some it may seem that certain of the views set forth here are too radical to find place in such a book. But if they are the views which a considerable number of rational persons could and do hold, their inclusion seems to be justified. Opposing arguments are set forth, and one may judge for himself their respective merits. Although a number of views set forth here seem to the reviewer entirely fallacious, he thinks that nothing but good can come from frank and open consideration of them. This volume is well worthy of consideration by anyone interested in ascertaining for himself the rational basis of certain of our most important and fundamental legal institutions. If liberty of contract, the right of private property, and the institution of marriage, for example, are to endure, they must hold their own, and the reviewer believes they can do so, against rational criticism.

FLOYD R. MECHEM.

The University of Chicago.

Interpretations of Legal History. By ROSCOE POUND. (New York: The Macmillan Company. 1923. Pp. xvii, 171.)

This book raises the issue as to the relative functions of author and reader. Professor Hazeltine states in the general preface that the

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

author has given "liveliness and vigor to a subject which, in other hands, might well be dull." The reviewer confesses that he found the book dull. In no place is the reader given a clear conception of the author's goal. Sentences and paragraphs must often be analyzed before their meaning can be understood, and erudite references together with obscure allusions further complicate the reader's task. Erudition and clearness may go hand in hand, as Dean Pound himself has so often demonstrated, and clear and compact sentences are found (as on pages 52 and 80) oftentimes giving the reader a thrill of discovery. Chapter VI is as a whole more clearly and simply written than other parts of the book. Pages 116 and 117 in this chapter give a clear but too brief analysis of the main theme of the volume.

The author discusses the older interpretations of the law, and criticises the one-sidedness of each. He states the newer and broader view that "we require an interpretation of legal history that will take account of the men who act in finding and adapting legal materials, of the materials with which they act, of the circumstances under which they act, and of the purposes for which they act" (p. 141). Thanks largely to Dean Pound himself, this view is now generally adopted in this country. This broader view has in the past been termed "sociological" by the author, but he now characterizes it by the unhappy designation of "engineering interpretation." In a true explanation of law we must recognize a combination of various forces, but the author somewhat overemphasizes the comprehensiveness of the new as contrasted with the one-sidedness of earlier theories, though overemphasis brings the old and the new into sharper contrast.

The reviewer fully agrees with the author's concluding sentences: "More and more we must rely upon jurists for creative work in Anglo-American law. Legislatures, if otherwise qualified, can give but intermittent attention to constructive law-making for the purposes of legal order. Judges work under conditions that make it less and less possible for them to be the living oracles of the law except as they give authority to what has been formulated by writers and teachers. An interpretation that will stimulate juristic activity in common-law countries, that will bring our writers and teachers to lead courts and legislatures, not to follow them with a mere ordering and systematizing and reconciling analysis, will have done its work well. It will have done for the next generation at least no less than the nineteenth-century interpretations did for that time" (pp. 164–5).

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

The constantly growing pressure of work upon courts of appeal make it increasingly difficult for their judges to do creative legal work. Legislatures are and will continue to be subject to so many diverse influences and pressures that their opportunity for creative work is slight, except as the inspiration comes from without. While law is made by certain organs of government, all the forces moulding human activities and human desires determine what law shall be made. Writers and teachers of law are under a peculiar obligation to interpret aright and to influence legal adjustments to new human needs.

A book containing so much that is valuable should be widely read. It is the more unfortunate, therefore, that the author should have made the reader's task so difficult.

WALTER F. DODD.

Chicago, Illinois.

History of the Later Roman Empire from the Death of Theodosius I to the Death of Justinian (A.D. 395 to 565). By J. B. BURY. (London: The Macmillan Company. 1923. Two Volumes. Pp. xxv, 471; ix, 494.)

In this magnificent and learned work Professor Bury recurs to the field where he first won his spurs as a historian. His *Later Roman Empire* (2 vols., London: 1889) was the first attempt in recent years to write a history of that critical period of civilization, which saw the break-up of the Roman *orbis terrarum* and the rise of Germanic kingdoms in its place. In the earlier work he carried the narrative to the downfall of Irene (802 A.D.); and he continued the narrative in 1912 in a third volume entitled *The History of the Eastern Roman Empire*, covering the period from 802 to 867 A.D. The present volumes cover but 160 of the 407 years treated in his youthful production. The increase in bulk is to be accounted for, in part, by the fact that he discusses certain points which had been passed over lightly in the previous volumes (e.g., Justinian's activities in Italy and the rise of the western Germanic kingdoms), and partly by the large amount of work which has been done in different portions of the field, as the large and detailed bibliography (II, 437–453) amply testifies. Professor Bury's reputation as a historian needs no comment. His name warrants thorough knowledge of the sources and wide but sure range of vision over vast and complicated historical processes.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

It remains for the reviewer to point out the sections of this work which contain matter of primary importance for those whose interests lie in the field of political science. Imprimis, one of the best though not very detailed portions of the work, is the chapter on the administrative machinery of the later empire (ch. II), whereon we have had nothing satisfactory since Kuhn, apart from Seeck's uneven survey. Peculiarly good also are the sections on Justinian's administrative reforms (ch. XXI) and on the same ruler's ecclesiastical policy (ch. XXII). The brief chapter on Justinian's legislative work is also of high quality, but not as striking as the preceding (ch. XXIII).

The book naturally challenges comparison with Seeck's *Untergang der antiken Welt;* although they overlap only in part (for the period 395–420 A.D.), they deal with sections of the same problem. Professor Bury's book sets before us an ordered and progressive picture, wherein well-chosen details accentuate the general impression he seeks to give of the Roman Empire in time and space with its counterfoil of barbarian peoples. No pet theories are abused, and chance is given its true place in explaining the catastrophe of the Occident. In Seeck's work, on the other hand, with all its positive merits in detail and its exhaustiveness, we have a series of pictures cast on the screen from a personal and highly subjective angle, frequently causing distortion, so that the cumulative impression is confusing and not clarifying. The index to Professor Bury's work is full and excellent, and the proof-reading meticulously correct, barring a couple of dates (I, p. 290, date should be 450 instead of 550; I, p. 452, date should be 518 instead of 418). The reviewer feels that some of the judgments passed on dogmatic points are a bit sweeping at times, but these are minor matters. Let us hope that the author will ere long be able to present us with a companion volume for the later period.

ROBERT P. BLAKE.

Oxford University, England.

Representative Modern Constitutions. By CHARLES E. MARTIN and WILLIAM H. GEORGE. (Los Angeles: Times-Mirror Press. 1923. Pp. 241.)

In this volume, two members of the department of government of the University of California, Southern Branch, have brought together the texts of the fundamental laws of the following nine countries: France, Switzerland, Italy, Germany, Czechoslovakia, Mexico, Canada,

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Japan, and Russia. Each is preceded by a page or two of constitutional history by way of introduction to the text, and there are two pages of "Foreword" in which the authors disclaim any intention of interpreting recent tendencies in constitutional development. All of these texts except that of Mexico have been published elsewhere, either in Dodd's *Modern Constitutions*, McBain and Rogers' *The New Constitutions of Europe* or Wright's *The Constitutions of the States at War, 1914–1918*, although not all in any of the three.

It is not reasonable to expect that "representative" constitutions selected by one person or group of persons will meet with unqualified approval at the hands of other persons or groups of persons. The reviewer would prefer to have included the Constitution of the United States and the Fundamental Law of Turkey adopted by Mustafa Kemal's government at Angora on January 20, 1921. The latter's provision for a unicameral legislature surely constitutes an interesting subject for consideration by the student of comparative government.

One would wish, too, that the book contained an introduction showing the general tendencies of the constitutional changes subsequent to the World War, not only in the constitutions of the newly-erected states, but also in the modifications of the constitutions of the older states. Moreover, a few words concerning the persons and parties instrumental in bringing about the changes, and the extent to which the facts corresponded with the constitutional documents would have added considerable interest to the prefatory notes. However, this was beyond the scope of the authors' purpose, namely, to supply a handbook for class use. As such, by reason of its very handiness, it should have wide use until a more complete book along the lines indicated above is put on the market.

HERBERT F. WRIGHT.

Georgetown School of Foreign Service.

The Recent Aims and Political Development of Japan. By RIKITARO FUJISAWA. (The Institute of Politics Publications, Williams College, Williamstown, Mass. New Haven: Yale University Press. 1923. Pp. xi, 222.)

Japan has perhaps the most interesting government in the world today. It is passing through the transition stage which came to western governments a century or so ago and no one knows where it is going. Recently, the Genro lost influence, and the House of Peers

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

and Privy Council are contending for its place. For the second time in its history, the Privy Council protested against cabinet policy, in denouncing that body for signing the Chinese postal convention last December. Just after we were told that the clans had died a political death, Baron Kato appointed a leading member of Satsuma as minister of the navy, and the remainder of his cabinet was composed wholly of peers. Shortly after the ratification of the Washington treaties, it was interesting to read a statement of the Japanese legation that these treaties did not affect existing monopolies in China, and to find that the Oriental Development Company had concluded an American loan which might defeat the purpose of the consortium.

A great opportunity, therefore, exists for a book on the aims and development of Japan. But unfortunately, Professor Fujisawa has not altogether taken advantage of it. Out of justice to him, it should be said that he was a very sick man just before the Institute opened, and that he did not go over the proofs of his lectures before they were published. Evidently, he has a wide personal acquaintance with Japanese statesmen, and he is aware that militarism has cursed Japan in much the same way as it has other countries. But his lectures do not contribute facts unknown before. They are discursive and unorganized, ranging from congratulations to Williams College on the receipt of a million dollars to a lecture on "An Average Interpretation of Democracy." There are, moreover, a number of inaccurate or misleading statements: The sovereignty of Japan "approximates more closely to the English constitution than to anything else" (p. 54); "The Government has no control over the Japanese press" (p. 69); "That the House of Commons holds the purse-strings, is equally true in the case of Japan" (p. 101); the Genro "will never prove itself a hindrance to the progress of party government, simply because it cannot" (p. 120); "Japan declared war on Germany in 1914 solely and purely in order to remain true to the spirit of her obligations" (p. 183).

It is the humble opinion of the reviewer that the Institute of Politics might have served its purpose better if it had honored one of its own prophets by bringing out a revised edition of W. W. McLaren's, *The Political History of Japan during the Meiji Era.*

RAYMOND LESLIE BUELL.

Harvard University.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

The Open Door Doctrine in Relation to China. By MINGCHIEN JOSHUA BAU. (Knights of Columbus Historical Series. New York: The Macmillan Company. 1923. Pp. xxiii, 245.)

The Open Door Policy. By EN TSUNG YEN. (Boston: The Stratford Company. 1923. Pp. 191.)

In spite of recent popular interest in the problems of the Far East, the publication of a serious work devoted to a single aspect of China's international relations, however important, is an undertaking requiring no little courage. Dr. Bau, in his preface, notes the absence of any comprehensive work relating to the Open Door doctrine, and expresses the hope that his book may fill this need. He has drawn his material largely from American and British official publications, and his footnotes constitute an excellent guide to the available source material of this nature in the English language. A number of the more important notes, treaties, and agreements are given in full in an appendix, and a brief but useful bibliography is included.

In the preface to his translation of *Les Mémoires Historiques de Se-ma Ts'ien*, Professor Edouard Chavannes has called attention to the almost complete suppression of the critical faculty among Chinese historians. This is Dr. Bau's chief weakness; he accepts without question the pious phraseology of notes and treaties, and betrays no doubts as to the benevolence and wisdom of the Open Door doctrine. The sanctity of the doctrine, asserted in the Anglo-Japanese Alliance, the Treaty of Portsmouth, the Lansing-Ishii notes, and many other notes and treaties, has now been reasserted in the treaties and resolutions of the Washington Conference,—and all is well. He accepts the new Consortium as a necessary and satisfactory means of harmonizing the "Open Door of Equal Opportunity" with the necessarily monopolistic railway concessions, and therefore conducive to peace and order, but ignores any possible connection between the principle of state-guaranteed monopolies, forced upon China twenty-five years ago, and the subsequent collapse of China's political system.

Dr. Yen has not confined himself so strictly to official publications for his material as has Dr. Bau, nor has he so completely accepted the Open Door as a cure for all the ills to which China is subject. Although he has, perhaps, overweighted his book with statistics which have little real value, and devoted rather too much space to the Shantung question, his reasoning and conclusions are sound. While appreciating the value of the Open Door policy at the time of its inception, Dr. Yen

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

maintains that the attempt to assure the independence and integrity of a weak nation by the strong Powers is a fallacy, and concludes that, if the Open Door in China is to be upheld, it must be upheld by China herself; that the Powers, if only from intelligent self-interest and as insurance against another World War, should help China to become sufficiently strong to assume her position as an equal among the nations of the earth.

The two volumes are, to a certain extent, supplementary and together constitute a valuable contribution to the existing literature on modern China.

G. NYE STEIGER.

Simmons College.

Round Table Conferences of the Institute of Politics at Its First Session, 1921. (New Haven: Yale University Press. 1923. Pp. xiii, 459.)

Part of the work of the first session of the Williamstown Institute of Politics was at once given to a larger audience through publication of the series of lectures by distinguished foreign visitors. To those who attended the Institute, however, the round-table discussions, conducted in the main by American political scientists and experts, were equally important. The present volume summarizes this part of the work of the first session of 1921.

Complete records of the opening exercises with speeches by President Garfield, Chief Justice Taft, Mayor Peters of Boston, and President Lowell, and of the concluding exercises with remarks by President Garfield, the foreign visitors, and former Secretary Root are given, together with reports of the eight round-table discussions dealing with boundary, reparation and treaty problems in post-war Europe, Latin-American problems, tariff problems and problems of international law. The round-table leaders, including A. C. Coolidge, R. H. Lord, Norman H. Davis, J. W. Garner, C. H. Haskins, Col. Lawrence Martin, J. S. Reeves, Leo S. Rowe, F. W. Taussig and G. G. Wilson, conducted their discussions in different ways, and future leaders of similar conferences will find in this book much of interest with reference to method. Some of the round tables consisted largely of lectures by the leaders, some progressed by Socratic dialogue, some were similar to university seminar courses with reports by the members. The material given in this volume, however, represents in the main the ideas of the leaders.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Most of the reports are accompanied by elaborate outlines and bibliographies.

In his opening address President Garfield said that those who visioned the Institute back in 1913 "looked over the rim of our hills to the world beyond" and "all that we saw compelled a new conception of our relation to the world. Isolation no longer existed. It was no longer possible. It was no longer desirable. . . To perceive the change from isolation to responsibility is fundamental, but by itself insufficient. As a people we do not know, we do not understand world relations. . . . . I conceive it to be the fundamental object of the Institute of Politics to seek until we have found the way by which international relations may be so adjusted that the strength of each may be developed for the welfare of all" (pp. 2–5). The present volume contains many suggestions to this end but the state of the world does not indicate that the search has been completed.

QUINCY WRIGHT.

University of Chicago.

The Cambridge History of British Foreign Policy, 1783–1919. Edited by Sir A. W. WARD and G. P. GOOCH. Vol. II, 1815–1866. (New York: The Macmillan Company. 1923. Pp. xviii, 688.)

The second volume of the *Cambridge History of British Foreign Policy* is a distinct improvement on the first, which was reviewed in the issue of this journal for February 1923 (Vol. XVII, pp. 122–123), in that it is really what it sets out to be, a history of foreign policy, not a resumé of foreign affairs. In addition to an adequate index and useful bibliographies, it contains fourteen chapters, written by thirteen authors. The best efforts of the editors have not prevented a certain small amount of repetition and of discrepancy in the estimate of events and of men; but most of the chapters give lucid and coherent accounts of British policy during the period in question.

Mr. Alison Philips is, as always, admirable on "Great Britain and the Continental Alliance;" Mr. H. W. V. Temperley writes with distinction on "The Foreign Policy of Canning;" Professor A. P. Newton gives a clear, straightforward, and impartial account of British relations with the United States. In two chapters on "The Schleswig-Holstein Question" and on "Greece and the Ionian Islands" Sir A. W. Ward appears to better advantage than he did in Vol. I. The latter

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

subject, though rather of the nature of *opera-bouffe*, and hardly requiring a separate chapter, is most amusing, and the obvious desire of the writer to let his tongue stray into his cheek is sufficiently restrained to give just the right note of semi-seriousness.

We could wish that more had been made of the occasional notes on the organization of the Foreign Office, and that something had been said on the importance, if any, of the permanent under-secretaries. In the Colonial Office, during this period, the permanent officials were much more important than their chiefs. Those of the Foreign Office, on the contrary, seem to have been so insignificant that their names are not even mentioned in the index. Under Canning or Palmerston this is understandable; was it equally so under the milder Aberdeen or Granville? May we suggest at least a note on this in the third volume?

W. L. GRANT.

Upper Canada College, Toronto.

Politics and Progress: A Survey of the Problems of To-day. By RAMSAY MUIR. (New York: Alfred A. Knopf. 1923. Pp. 182.)

Professor Muir has undertaken in this volume to contrast the program of British Liberalism with the aims of Conservatives and of Socialists. He analyzes the causes for the prevailing political ineffectiveness and dissatisfaction, and attempts to block out a program for the future of the Liberal party. His own studies have been an adequate preparation for this task.

For the benefit of the dissatisfied Laborite he attempts to show that Liberalism has been an evolving conception, while at the same time it has held fast to the ideal of liberty. He sums up: "Any honest student of the nineteenth century who will take the trouble to review the course and character of liberal action in the industrial field, will indeed, be driven to two irresistible conclusions. First, that though the task is still far from completed, Liberalism has done vastly more to improve the conditions of life and work for the masses of population, and to impose upon the directors of industry strict and far-reaching regulations in the interest of the workers." At various times Conservative ministries contributed, but the factory code was in the main a Liberal achievement. The second conclusion he draws from his study is "That as it has moved forward in its unending aspiration after a larger liberty, the ideal of Liberalism has become more generous."

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

The most prominent of the immediate demands on political liberalism are specified as: First, as to government itself, a devolution of functions to local bodies in order to free the minds of the members of Parliament for the consideration of national and world issues. If he had shown more clearly how this devolution differs from the proposals of the Guild Socialists he would have made a contribution to political theory. He proposes an extension of industrial self-government and the creation by "statute of a National Industrial Council, representative of employers and employed in all industries," which reminds us of the principle employed in the Railroad Labor Board. Second, he advocates a reasonable demand on Germany as to reparations; third, "a belief in the League of Nations as a substitute for swollen armaments and rival alliances is the very pivot of a Liberal foreign policy;" fourth, regularizing industrial employment; fifth, more attention to health and education. His treatment of education is inadequate from the point of view of American faith in education. Sixth, "rectifying the maldistribution of wealth by ensuring a fair sharing of the product of each industry between the factors engaged in it. . . . . Taxation can be utilized to reduce the grosser inequalities of wealth." Seventh, an avoidance of any rigid uniformity of method in dealing with the various problems.

One point, especially, is made clear: The Liberal can be an imperialist, but the Liberal must be an imperialist of the right sort. "Liberalism has always been out of sympathy with imperialism, if by that word is meant a spirit of domination which takes pride in the mere extension of dominion for its own sake. . . . . Liberal policy has defined it that it was the duty of the ruling State to act, not as if the territories existed solely for the advantage of the ruling race."

The program as outlined by Professor Muir is much franker and goes further than the announced platform of the rather disorganized British Liberal party, or of any considerable party group in the United States. The special merit of the book lies in whatever value it may have in focussing attention on certain crucial problems of statesmanship. It deserves wide reading and is not written for the specialist. In the field of political theory Americans have not been notably successful, and practice lags far behind theory. For example, the management of our prisons and our city affairs runs behind the best thought of political science. But perhaps the reason for this discrepancy between theory and practice is due to the fact that the American voter lacks a philosophy of governmental aims and functions. At any rate,

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

it is time that the challenge of Professor Dunning was taken up. At the conclusion of the third volume of his survey of political theory from the Greeks to Spencer he asserted that the chief lesson to be learned was the slight advance that moderns had made over the *Politics* of Aristotle. Yet the materials for the study of government and the problems confronting government have multiplied enormously.

GUY VAUGHN PRICE.

College of Emporia, Kansas.

Parties and Party Leaders. By ANSON D. MORSE. (Boston: Marshall Jones Company. 1923. Pp. xlii, 267.)

This book is a collection and republication of sundry political and historical articles by the late Professor Morse, which appeared originally from 1886–1912. The book now appears in the series known as "The Amherst Books."

The articles which are chiefly historical are fortunately in the majority; and particularly those which have a biographical aspect, such as the essays on John Adams, Hamilton and Jackson, are at once discriminating and full of color.

The introduction is an excellent historical essay on the growth of party in England and in America, based upon the thesis that "party is a substitute for revolutions." It may be, as stated, that this was Morse's own "fundamental idea" but it is more cogently set forth in the introduction than in anything that follows.

Professor Morse's political theory seems rather futile, and indeed rather frequently to run counter to the facts. For example, he defines the principles of a party as "the durable convictions held in common by its members as to what the state should be and do." Everything else he classes under the head of policy, and he says "the failure to distinguish between principles and policy accounts for much of the misapprehension and injustice that parties suffer." Query: (1). Can this distinction be successfully upheld? (2). Even if so, will it not take much hair-splitting to do it? (3). Will the effort to do it be worth while?

In the essay on the "Natural History of Party," which seems to have been inspired by the so-called biological school, we are told that there are laws which determine the time when reconstruction of party systems is to take place and the character of the changes they are to effect. This looks important, and we read on through the discussion to come to this conclusion: "The rise of new parties may be looked

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

for confidently whenever the state has completed one phase of its development and is about to enter upon another and different phase," and "The character of this reconstruction is determined by the nature of the issues which belong to the peculiar phase of development on which the state is about to enter." As "laws" these are somewhat disappointing; indeed, they amount to nothing more than the original problem restated.

As an explanation of existing facts, his "Natural History of Party" with its transition through the different phases of origin, growth, power, decay and death, will not stand the acid test of the thirty years since it was written; and as a theory on which political action might be founded it is at once too labored and too colorless to attract followers.

One reads a republication of this sort with an eye for prophesies. At least one such is found: "The recent (1890) complimentary assertion of the Russian Ambassador at Berlin that the United States has nothing to ask and nothing to fear, if not an absolute truth, is still truer of us than of any other people. Our danger is not that we shall suffer injustice, but that tempted by strength we shall perpetrate injustice."

JAMES P. RICHARDSON.

Dartmouth College.

The Party Battles of the Jackson Period. By CLAUDE G BOWERS. (Boston: Houghton Mifflin Company. 1922. Pp. ix, 506.)

The Presidential Campaign of 1832. By SAMUEL RHEA GAMMON, JR. (Baltimore: The Johns Hopkins Press. 1922. Pp. ix, 180. Johns Hopkins University Studies in Historical and Political Science, Series XL, No. 1.)

The "Jackson period," to which the first of these volumes relates is restricted to the two administrations of Andrew Jackson. Probably no period of equal length in our history has been distinguished by political struggles of greater importance, more bitterly fought, or planned and conducted by more brilliant and astute party generals. Of all this the author of this volume has not been insensible, and he has utilized most successfully the possibilities of the period for dramatic historical writing. Not since the late John Fiske ceased to write can this reviewer recall the appearance of a volume on American political history characterized at once by so fascinating a literary style, by such vivid portrayals of personalities, and by such lucid expositions of

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

complicated issues and party maneuvers. Teachers and lay-readers alike can not fail to find in this unusual volume both entertainment and enlightenment.

In a book of conspicuous merit throughout, it is difficult to select any chapters for special honorable mention; but one can hardly omit a reference to the delightful description, in the opening chapter, of the physical appearance and social life of Washington in the thirties; not to mention the vivid pen-pictures, both of the great political luminaries of the period and of the equally interesting and scarcely less potential, though less conspicuous,—Amos Kendall, Frank P. Blair, Isaac Hill, Roger Taney, John Forsyth, and General Eaton, to mention only a few of the characters who pass across the stage. Of most direct practical value to the teacher of government and politics are the chapters on the presidential campaign of 1832 and, to a lesser degree, those on the campaigns of 1828 and 1836.

It is earnestly to be hoped that in the near future we may have from the pen of this gifted and scholarly writer a volume, along similar lines, dealing with the reconstruction period following the Civil War.

The proceedings of our earliest national nominating conventions are lightly touched upon in *Party Battles*, but they form a conspicuous feature of Dr. Gammon's useful monograph on *The Presidential Campaign of 1832*, a campaign which "marked the beginning of many things that have come to be commonplaces in American politics." This author claims that the germ and precedent for such a convention are to be found in the first state nominating convention in Pennsylvania in 1824. This monograph, however, is much more than a study of the beginnings of national party machinery. The author has also painstakingly gone through original manuscripts in the Library of Congress embodying the correspondence of Nicholas Biddle and of the leading political figures of the period; in fact, the volume is based to a great extent upon that sort of material, and upon memoirs of prominent politicians.

As a result, we are given a most interesting and valuable insight into the ambitions and perplexities of party leaders and the factional intrigues of the campaign. One carries away, however, a very incomplete picture of the campaign as a whole; for comparatively little is said of the part played by the masses who had come into their own only four years previous, and of the strenuous efforts to influence their action at the polls. Of newspapers, which are an invaluable source if used with discrimination for this phase of the campaign, only *Niles'*

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Register appears to have been drawn upon to any considerable extent, Yet the press probably played a more conspicuous and more important part in this campaign than ever before under the able leadership of Blair, Kendall and Green.

There are other omissions and apparent inaccuracies of minor importance; but, on the whole, the monograph is highly praiseworthy, and a real contribution to what has long been needed, namely, a series of intensive studies of presidential campaigns.

P. ORMAN RAY.

Northwestern University.

Four Famous New Yorkers: The Political Careers of Cleveland, Platt, Hill and Roosevelt. By DE ALVA STANWOOD ALEXANDER. (New York: Henry Holt and Company. 1923. Pp. xvii, 488.)

This book is rather what the subtitle suggests, a political history of the state of New York, 1882–1905, than a series of biographical essays. The political careers of Cleveland and Roosevelt are discussed only in so far as they touch upon New York politics, and the book, ending abruptly with the year 1905, leaves out the latter half of Roosevelt's career in New York politics. The selection of "four famous New Yorkers" from this period must necessarily be arbitrary. The exclusion of Richard Croker from the list may be defended on the ground that he never held an important elective office as did Cleveland, Platt, Hill and Roosevelt; but there were times when Croker wielded more political power than either Platt or Hill. Benjamin B. Odell was also a "famous" figure in New York politics. In fact, it was easy for any successful New York politician to become "famous" in the period which Mr. Alexander treats, because the failure of a major party to carry New York State in a presidential election then meant the loss of the presidency to that party.

Mr. Alexander has given an interesting and accurate account of the conventions and campaigns which brought Cleveland and Roosevelt to the front in national politics. Since Mr. Alexander was a United States district attorney during Harrison's administration and Cleveland's second term, and since he was a member of Congress from 1897 to 1910, he is able to write about many of these events from first-hand knowledge.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

In his preface the author states that the volume is presented as a history of "the personal forces or types of public men who controlled two great political parties in the state of New York." Like the first three volumes of *The Political History of the State of New York*, this volume is written in the old style, narrowly "political." There were certain "personal forces" of political importance in the state which he does not even mention. The names of prominent business men like J. P. Morgan and Thomas F. Ryan are omitted from this book, although it is undeniable that Ryan, the utility magnate, was an exceedingly significant figure in the Democratic National Convention which nominated Alton B. Parker for president. Mr. Alexander's narrative keeps so close to the chronological order of events that it has no place for important evidence which came to light after 1905. The legislative life-insurance investigation of 1905–6, the Allds senatorial case of 1910, and the corrupt-practices investigation of 1910–11 all threw some light upon the inner workings of New York politics of the late nineties, but Mr. Alexander makes no reference to any of the inquiries.

By and large, the author is impartial in his treatment of the two major parties, but his personal party preferences are not entirely concealed. He dwells upon the departures from the merit system that occurred during Cleveland's administration, but he says nothing about those which occurred during McKinley's first administration. He refers to the gerrymander of the state by the Democrats in 1891, but he does not mention the gerrymander which the Republicans wrote into Constitution of 1894. Even more disappointing than the author's Republicanism is his failure to appreciate the significance of the third-party movements. In describing the New York mayoralty campaign of 1886, he says (page 81): "as the canvass progressed, the most dangerous and disorderly elements, the enemies of public order, adopted George as especially their own." These "elements," the wage-earning groups, were not usually "dangerous" when they kept within the traditional two-party system. Mr. Alexander refers to the national platform of the Democratic party in 1896 as the "crazy Populist platform." This platform contained among other things such "crazy" suggestions as an income tax amendment, stricter control of trusts and pools, and the enlargement of the powers of the interstate commerce commission.

The value of this book lies in its vivid descriptions of national and state party conventions and in its wealth of political anecdotes. This

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

material might be used in a scientific analysis of political groupings in the state. It is to be regretted that Mr. Alexander has not attempted to interpret the events about which he has written in the light of recent advances that have been made in the social sciences.

HAROLD F. GOSNELL.

University of Chicago.

Lords Lieutenants in the Sixteenth Century: A Study in Tudor Local Administration. By GLADYS SCOTT THOMSON. (London: Longmans, Green & Co. 1923. Pp. x, 182.)

The King's lieutenants of whom Miss Thomson writes were not the important and stately heads of the military and civil administrations of the counties which they grew to be in post-Elizabethan times. They were not "great, selfish, pampered aristocrats" as Charles Greville called the lord lieutenant of his time. Nor was their function mere "decorative inutility" as it became from Cardwell's Army Act of 1871 which took away their military powers until Haldane's Army Act of 1907 restored them. The lord lieutenancy at its origin under the Tudors was the tentative creation of an administrative link between the crown and the counties.

In the Tudor period local administration was not formalized. The crown's use of loyal and influential noblemen and gentlemen as justices of the peace with increasingly varied duties is well known. In like manner the crown came to use an occasional more important and more influential subject as its agent, first in raising and commanding the military levies, and then for a variety of civil duties as well. The lord lieutenant occupied a position midway between the council and the justice.

During the whole Tudor period, however, as Miss Thomson shows, the lord lieutenancy was in a way experimental. For a time in certain counties the new official would be given the military duties of the commissions of array and the sheriff. Again no lieutenant would be chosen, and the duties would revert to commissions. In a bureaucracy, which the Tudor administration tended to become, the lord lieutenancy would have had a distinct place and function. But since the government of the Tudors was based upon personal loyalty, and was a bureaucracy of good-will, the crown dared not risk the revival of the quasi-independent position of the great nobles which had caused some of the troubles of the preceding century. The crown created the position

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

and gave the authority of the lieutenancy only for a time and in an emergency.

It is only recently that trained investigators of the history of England have left the study of broad national movements for the study of local administration. The field was left untouched so long, it may be suspected, because it was considered barren. Barren it is not, but it is difficult to cultivate, and a pioneer, such as the author, is in the position of one who makes a field arable rather than of one who harvests crops. The field which she has chosen is particularly difficult, because the study of administration assumes that a discoverable system exists or is in contemplation, and in the early lord lieutenancy no system can be found. Miss Thomson's study is full of those details which as a treatise on administration it must have; that it is largely lacking in those bits of generalization which illuminate and give meaning to the individual facts, is because the facts themselves suggest no generalizations.

The unsatisfactory elements of the study are in the subject and not in its treatment. From contemporary records the author has written the history and described the nature and functions of the lord lieutenants from their first appointment in 1545 until Elizabeth's death, with particular attention to the important period of the Armada. The outlines are clear, and sufficient illustrative matter is given. If there is a fault, it is that the author has not persuaded us that the lord lieutenancy in the sixteenth century was more important than we have been accustomed to think it.

E. P. CHASE.

Wesleyan University, Connecticut.

A Manual of Archive Administration. By HILARY JENKINSON. (Oxford: Clarendon Press. 1922. Pp. xviii, 243.)

At the outset it is clearly stated that the aim of this book is twofold: To lay down in outline a plan of our own duties to the archives of the past, which shall be conditioned entirely by their own fundamental characteristics. From this first process we are to draw certain principles of archive values which we may attempt to apply to a new problem—the direction, without altering their archive character, of the formation of the archives of the future. Finally the question, lying midway between the two just mentioned, of the treatment of those accumulations left on our hands, not by the past but by the abnormal events of our own times, is considered.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

In accordance with this plan the volume falls naturally into two divisions. The later chapters deal mainly with collections of the World War, and with the making and administration of modern archives. While archivists should by no means neglect these chapters, to most of them at least they will probably be far less valuable than the earlier part. Local conditions vary in a thousand ways; new processes, equipment and practices are brought forward, and officials are apt to deal with their current files as they please regardless of advice. In the first part we are on surer ground. The custody, classification and administration of archives of the past and the various duties of an archivist form the main topics. The range of detail is wide, and every page is worthy of careful reading.

Taken as a whole this volume is based on excellent principles and sound practice. These fundamental principles of archive science have now such a wide acceptance that discussion usually centers around the flexibility of their application in detail to suit local conditions. For English archives Mr. Jenkinson cannot follow at every point the methods of continental Europe. In like manner, while adhering to the *principe de la provenance* and other canons of prime importance, we must claim a certain degree of freedom for the solution of our own special problems.

It is to be hoped that custodians of manuscripts in America will pay careful attention to this book. The brochure of the Library of Congress is, as Mr. Jenkinson notes on page 16, a very dangerous guide on some points. The work of Muller, Feith and Fruin is not well-known here, and is too advanced for the average archivist; while those chapters of the primer of archival economy already put forth by the public archives commission do not promise enough detail to carry one far.

DAVID PARKER.

Dominion Archives, Ottawa, Canada.

Catherine De Medicis. By PAUL VAN DYKE. (New York: Charles Scribner's Sons. 1922. Two volumes. Pp. x, 389; vi, 446.)

These important volumes, which present the first authentic biography of Catherine in English, and, except for the recent French work of Mariéjol, the first in any language, are the result of ten years' labor by Professor Van Dyke and of extended researches in the manuscript

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

archives of a dozen European cities. They are of interest to the historian for new light which they bring from the sources; for the student of politics who waits to grind the grist of history at his mill they have importance because of the subject matter and the manner of its treatment. For Professor Van Dyke has emphasized Catherine's politics; and Catherine ruled in an age when the politics of monarchs were the policies of states. He has illustrated the connection between politics and personal character against that advantageous setting of Renaissance monarchy where the personal character of sovereigns wrote itself at large in the history of a whole people.

Catherine's conception of domestic politics centered around maintaining her own and her family's position by the distribution of favors, and the main end of her foreign politics seems to have been to marry off her children advantageously. Frequently grave steps of national policy appear to have been taken with solely this in view. She had no idea of France, but only of the royal family; no conception of political principles and social movements, but only of personal ambitions, vanities and intrigues. She was a past master of politics, but she had no policy. In the convincing portrait Professor Van Dyke has drawn he has revealed the type and spirit of Renaissance monarchy in action.

It would be difficult to praise Professor Van Dyke sufficiently for the vivid and life-like portrait he has drawn in the flesh and blood of reality, and for the skill with which he has unravelled the tortuous policy of a ruler who made up in crookedness what she lacked in certainty of aim.

JOHN DICKINSON.

Los Angeles, California.

The Racial History of Mankind. ROLAND B. DIXON. (New York: Charles Scribner's Sons. 1923. Pp. xvi, 583.)

By a somewhat similar method to that of the great French anthropologist, Topinard, Professor Dixon of Harvard University attempts to work out a classification of human races. He, however, reduces his fundamental characters to three (in place of five used by Topinard) and confines his attention to those of the skull, discarding the external characters shown in the living. He claims that such characters as color, hair, etc., are variable and easily changed, while the skull remains the same for indefinitely long periods. It is not altogether easy to see why he is so confident of this fixity, but his entire argument rests upon it.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

When we consider the fewness of skulls that will ever pass through the hands of the anthropologist, the uncertainty of ethnic source that taints most of the skulls we have or are likely to secure, and the doubt as to the sex of many of the skulls that are available, we feel that the surrender of the vast mass of material at hand concerning external characters is a serious loss.

The three data derived from skulls, which our author takes as the basis of his investigation, are the cranial, altitudinal and nasal indices. As these, in the usual nomenclature of anthropology, have each three degrees, there are eight possible combinations of characters, which combinations he calls fundamental types. Mathematically these types may give rise, through crossing and combination to nineteen blends. In other words, there are "twenty-seven possible groups into which the three indices selected may be divided." After making these ideas clear by symbols and formulae, he gives names to his eight fundamental types as follows: Proto-Australoid, Proto-Negroid, Caspian, Mediterranean, Palae-Alpine, Alpine, Mongoloid, Ural. The author then traces these eight types over the world. While the Proto-Australoid and the Proto-Negroid are practically confined to the tropics, all of the others except the Ural are claimed to be, or have been, widely distributed. This study of distribution forms much the larger part of the book and presents much of curious, or even startling suggestion. One does not always feel secure of the identity of these types as represented in widely divergent parts of the globe. Thus, is the Caspian type of the Eskimo absolutely the same thing as the Caspian type in India or in Hawaii?

In a chapter on "General Conclusions," Professor Dixon brings together the results of his entire analysis. He defines each type carefully, completing the picture even with the despised external character. He presents a table of its world distribution and suggests its original centre and its probable currents of migration. When he has done all this he asks—What are these types? What are races? It seems that these types are not races, but the elements from whose combinations races have come. "A race is not a permanent entity, something static; on the contrary it is dynamic, and is slowly developing and changing as the result of fresh increments of one or another of its original constituents or of some new ones."

The author comes out flatly as a polygenist. We have no objection to his doing so, but how instructive it is to note the moments of polygenistic outburst. The days of slavery called forth a whole series of

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

polygenistic treatises, and now, after the great war, we may expect a blossoming of theories of diverse human stocks. For Professor Dixon, the world lies in the hands of three types—Caspian, Mediterranean and Alpine. He is less insistent than some on the vast significance of the Caspian type (which includes the "Nordic" with all his grandeur); he is willing to grant something to the Mediterranean. "The Palae-Alpines were on the whole content to be led; the Caspian and Mediterranean peoples, were, on the other hand, leaders, the former in the affairs of the body, the latter in those of the mind. The Caspian was more a conqueror, the Mediterranean a thinker and artist." The Palae-Alpines and the Alpines have produced the great yellow peoples of the past and present. Dixon grants that they may have some part to play.

Space does not permit detailed discussion of individual statements. We should disagree with many and could not, without conference, accept our author's method. But his book is a conscientious and carefully thought-out work. It is a serious contribution based solely upon physical anthropology.

FREDERICK STARR.

University of Chicago.

BRIEFER NOTICES

Clive Bigham has followed up his volume on *The Prime Ministers of England, 1721–1921* with a book on *The Chief Ministers of England, 920–1720* (E. P. Dutton & Co., pp. x, 422), thus giving the student and the lay reader a scholarly, interesting and intensely human account of English history through the lives and work of her early royal counsellors and later prime ministers. By way of introduction the author devotes several pages to a discussion of the origin, development and importance of the office of chief minister in the period down to 1720. The author next shows how the progressive changes in the position of chief minister coincided roughly with the advance in constitutional government. In Saxon, as well as Norman and early Angevin times, the first man under the king was the Justiciar, who as general, chief justice and often treasurer united in his person all the attributes of royalty. As foreign provinces dropped away and affairs at home became the predominant interest the law became more important and the chief place was held by the Chancellor. For three centuries the chancellorship was preëminent, but after the Reformation with the firmer establishment of Parliament,

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

and the expansion of trade and wealth "the Chancellor is displaced by the Treasurer, who typifies the power of the purse."

Sketches are given of twenty-seven chief ministers whose lives extended over eight hundred years, together with a brief consideration of the important sovereigns with whom they were associated. The book closes with a comparison of the chief ministers from which the author draws certain pertinent conclusions, several of which are of particular interest. He concludes among other things that: "Rarely did a great noble rise to the top. . . . . The tendency was rather to men of ordinary bulk, fortune and ability." Again he states that innovators seldom saw the success of their policies, as for example de Montfort, Warwick, Cromwell, Somerset and Stratford, who tried to change the dynasty, the constitution or the faith and all of whom fell by the sword. The country preferred moderate measures and steady men. The book is written in a style that is clear and interesting and there is scarcely a dull page from cover to cover.

John Davis Long, Governor of Massachusetts, a member of Congress and secretary of the navy during the Spanish-American War, at the time of his death in 1915 left a diary of twenty volumes in manuscript which he had commenced in 1848. Lawrence Shaw Mayo has very carefully selected extracts from the diary which he has edited under the title *America of Yesterday* (The Atlantic Monthly Press, pp. x, 250). Although the bulk of the book deals with the private life of Governor Long, the chapters on "Law and Politics," "Washington in 1898," "The Testing of the New Navy" and "Santiago" contain a wealth of illustrative material for the lecturer on American government. More than once he complains of patronage-seekers, especially members of Congress, "fighting like wolves over a carcass" in regard to "a little two-penny appointment" of a shipkeeper at $2.00 a day in the Philadelphia navy-yard (p.156). In another place he presents in a clear and simple manner his conception of the functions and duties of a cabinet officer which go a long way in explaining the success of the navy department during the Spanish-American War: "I am satisfied . . . that it is not necessary that a cabinet officer should be specially familiar with the scope of his department before assuming its duties. He is really the representative of his department in the councils of the administration, and does not so much represent the department before the people as he represents the people in the department. The great need in every department is thorough organization, so that the requirement in a

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

cabinet officer is the faculty of system and organization. . . . . While he has the final decision and must keep a level head, it is his business to give his bureau officers great powers and hold them to very strict responsibility." (p. 195).

Outstanding among the numerous books on the great war is *The World Crisis* (Charles Scribner's Sons, pp. xii, 589) by the Rt. Honorable Winston S. Churchill, who held the post of First Lord of the British Admiralty during the eventful years, 1911 to 1915. After several introductory chapters in which Mr. Churchill shows conclusively by the presentation of documentary material that he foresaw the war long before its outbreak there follows the story of the creation of the mighty British fleet, its equipment and the complicated details which confronted the navy down to 1915, all of which is presented with a style that is brilliantly clear and vigorous. In a non-technical manner he tells of the complete revision of British marine plans prior to the war, the building of a fast division of battle cruisers armed with large guns, the gathering-in of a large supply of fuel oil from all over the world, the mobilization of the fleet, the organization of the blockade, the frustration of the first German submarine attacks, and the initiation of the Dardanelles campaign. He tells of the various successes of the navy during this period and also of the disasters such as the loss of three cruisers off the Dutch coast, the tragedy at Coronel and the failure of the navy to force the Dardanelles. Very clearly the book is the author's defense against his critics but it is not filled with excuses nor does he go out of the way to manufacture a case for himself. He does not claim to have been infallible nor consistent, but proceeds to give straight from the shoulder what was done or left undone, with reasons that were not worked out six years later but were set down by him at the time and preserved for subsequent use. While Churchill's policy and blunders have made of him a storm center of criticism one can not help feeling that he saved Great Britain at the outset, and to the lay reader this book is a remarkable one which in itself would win fame for its author. It is hoped that Mr. Churchill will carry out his plan for another volume within a short time.

William D. Guthrie, president of the New York Bar Association, has rendered a great service to students of political science and law, members of the bar and the general public by gathering together some of his speeches and writings in a volume entitled *The League of Nations and*

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Miscellaneous Addresses (Columbia University Press, pp. ix, 383). The three addresses on the League of Nations which give the book its title are a masterly presentation of Mr. Guthrie's objections to the League Covenant as actually drawn up and of the reservations which he regards as necessary. On the other hand the author in an equally forcible manner presents in these and other of his writings a strong belief in the practicability of the Permanent Court of International Justice. But to the reviewer the most significant portions of the book are to be found in the addresses on "The Federal Government and Education," in which Mr. Guthrie opposes the policy of subsidies to the states, and the addresses on "Selection of the Judiciary," "The Public Service of the American Bar" and "Problems of the Bar."

In discussing the methods of selecting judges the author, while recognizing that there is ample room for improvement, takes issue with Lord Bryce's criticism of the American state judiciary as set forth in *Modern Democracies* and ventures the conclusion that "no one can assert that the appointive system has proved itself to be invariably superior to the elective system." He is vigorously opposed to the direct primary as a method of nominating judges. In the essay on "Problems of the Bar" Mr. Guthrie gives the students of political science much food for thought. It is his opinion that there are certain serious dangers in giving regulatory commissions both judicial and executive powers because such commissions are by their very nature and purpose interested parties in any hearing. He makes a plea against the tendency to narrow the right of judicial review of administrative determinations and is of the opinion that there should be to some extent the possibility of appealing findings of fact as well as of law and procedure. In concluding this discussion Mr. Guthrie writes: "I am not prepared to say that the time has yet come for the creation of special courts similar to the French administrative courts, although I am convinced that this will ultimately be found to be advisable." For the time being he is of the opinion that it might be well to create special divisions of the ordinary courts to hear and determine controversies relating to the regulations of administrative authorities.

The League of Nations Today by Roth Williams (Henry Holt & Co., pp. 223) is the most important single volume yet published on the League of Nations. By way of introduction the author discusses the necessity of the League and explains its organization. Then follow four chapters on what the League has done in its three years of existence,

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

including its failures as well as its accomplishments, with special emphasis on the Upper Silesian Settlement, the Aaland Islands, Austria, the activities of the Economic and Financial Commission, the Brussels and Genoa Conferences, repatriation of war prisoners, relief of refugees, the work of the health organization, and investigations in regard to the opium traffic and traffic in women and children.

From this outline of organization and activities the author draws several conclusions: First, that the League organization and methods have shown themselves elastic and comprehensive enough to cope with the many and varied, and sometimes wholly unexpected problems they have had to face. Secondly, however, "the League as an association of states betrays a certain one-sidedness in its handling of political problems when the interests of an ex-Ally are concerned. . . . . The remedy is clear, and consists in the universalising of the League" including Germany's adherence. Thirdly, the League has been hampered by an environment of "war inflated nationalism" which has led the United States to remain isolated and has prevented the European nations from dealing with any important decision through the League system. Mr. Williams makes an appeal for a greater use of the League and formulates a program under which Great Britain should take the lead in this direction.

Finally, the author points out the necessity of educating public opinion on international affairs through such organizations as the League of Nations Union, the Inter-Parliamentary Union and the various international labor, political, and other conferences. It would be interesting to see if Mr. Williams' views would be changed by the events growing out of the recent difficulties between Greece and Italy.

Like the two preceding numbers, the *Third Year Book of the League of Nations for the Year 1922* edited by Charles H. Levermore and issued by the Brooklyn Daily Eagle (pp. 434) contains the story of the League during the year covered. It explains not only the work of the Supreme Council, the Assembly and the Permanent Court, day by day and topic by topic, but takes up also the reparation commission, Near Eastern negotiations, the Genoa, Lausanne and other conferences. The appendix contains a text of the rules governing "A" class mandates and a copy of the correspondence between Secretary of State Hughes and Mr. Hamilton Holt in regard to the policy of the administration toward the League. If copies of this carefully and systematically arranged book were everywhere available there would be little excuse for ignorance

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

as to the accomplishments of the League of Nations, its current problems and future development.

The George H. Doran Company has announced that the author of the anonymous book *When There is No Peace* (pp. 319) is Laurance Lyon, formerly a member of Parliament and from 1916 to 1919 proprietor of the *English Outlook*. This clears up the question as to authorship of the earlier work by the same writer entitled *The Pomp of Power* which appeared in 1922. *When There is No Peace* is an analysis of the political events and diplomacy of Europe since the Treaty of Versailles with particular emphasis on the personalities which have been most prominent during the period. The author is of the opinion that the two persons most responsible for present conditions in Europe are Lloyd George and Stinnes; the former British Prime Minister receiving severe criticism for his policy of evasion and shiftiness, while Stinnes is pictured as opposed to the German payment of reparations because it would affect his profits. The book is decidedly sympathetic toward the French point of view in regard to reparations and the Ruhr. Without any show of personal bitterness or hatred toward Germany which has characterized many recent works the author develops a strong brief for France and for closer Anglo-French relations, criticising the British policy of standing on one side and adopting a cautious attitude of "wait and see," thus "losing, or at least imperilling, British leadership in Europe."

In 1919 the German National Constituent Assembly created a committee of inquiry to investigate the responsibility for the war. This committee was subsequently divided into four sub-committees, the first of which was to ascertain the responsibility for causing the war; the second, the responsibility for not ending it sooner; the third, acts of disobedience or disloyalty to responsible political authorities, and the fourth, acts of cruel or harsh conduct of the war. The Carnegie Endowment for International Peace through the Division of International Law has performed the extremely valuable service of publishing in two volumes the reports of the first and second sub-committees under the title, *Official German Documents Relating to the World War* (Oxford University Press, American Branch. Pp. xiii, 684; xi, 685–1360). These volumes contain not only the reports of the sub-committees but also copies of official correspondence and verbatim accounts of the evidence presented by various persons called before them such as Count Bernstorff, Bethmann-Hollweg, von Bülow, Czernin, Hindenburg, Krupp,

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Zimmerman, and others. The volumes make unusually interesting reading especially the cross-examination of Count Bernstorff in regard to his activities in the United States and the attitude of this country toward the war.

An addition to the growing list of books diagnosing the troubles of Europe and discussing what America should do toward curing her present ills is *The Malady of Europe* by M. E. Ravage (Macmillan, pp. 250).

As We See It, by René Viviani (Harper and Brothers, pp. 314), is a presentation of the French point of view in regard to the World War and its consequences. The book is largely a reply to the comments, excuses and defense of the German Emperor as set forth in his *Memoirs*, and anyone reading the *Memoirs* could most profitably read Viviani's book in order to obtain the other side. Although there is not a great amount of new material not elsewhere accessible, or difference in point of view from other books by French writers, the author has set forth his ideas in a vivid, forcible manner which makes the volume interesting reading.

An Outlaw's Diary by Cécile Tormay (Robert M. McBride & Co., pp. xiv, 291) is a story of rapidly changing events in Hungary during the four months which preceded the establishment of the Commune under Bela Kun in March, 1919. The author who belongs to the aristocracy sets forth with a great show of feeling her impressions of those whom she regards as betrayers of her country, tells of the hardships undergone, and gives a most vivid painting of the Revolution. She is almost brutally caustic and bitter in her denunciation of Count Michael Karolyi. He is charged with having deliberately planned his country's ruin. The principal defect of the book lies in the fact that the author repeats over and over her lamentations, which makes the volume somewhat monotonous and gloomy reading.

W. J. Ghent, formerly active in the Socialist party, has written an interesting attack upon communism, bolshevism, and "kindred fads" in a small volume entitled *The Reds Bring Reaction* (Princeton University Press, pp. xvii, 113). It is the author's thesis that the activities and especially the extreme utterances of the "Reds" (defined as "a revolutionary communist with an extravagant fondness for revolutionary phrases") and their allies the "pseudo-Liberals" are dangerous, not so

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

much because they menace the existing order but because their "tumult and shouting" inevitably strengthens "the Reaction of the Right" and thus stands in the way of the "orderly progress of social democracy." The book is different from the general run of work that has appeared on the subject of radicalism.

A contribution of no small importance to the literature on proportional representation is to be found in John H. Humphreys' *Practical Aspects of Electoral Reform: A Study of the General Election, 1922* (London: P. S. King & Son, pp. 103). As a result of his analysis of the general election for the British Parliament in 1922, in particular, and also recent elections in the Dominions, Greece and France, Mr. Humphreys concludes that representative democracy and the parliamentary system are endangered by an electoral plan under which "there is no assured relation between the votes recorded on behalf of different parties and the representation received in Parliament." A scheme of proportional representation similar to the Hare system is then proposed as a remedy.

With concrete examples from European countries Mr. Humphreys attempts to refute the argument that proportional representation tends to break down the two-party system. It is his opinion that in most continental countries where this system has been adopted there are no more parties than there were under the former single-member district. The recent difficulties in maintaining parliamentary government in Italy, which many attribute to proportional representation, are in the belief of Mr. Humphreys due to other causes, especially to the fact that representative institutions are of recent growth in that country and to peculiar political and economic conditions. This is of interest in view of Premier Mussolini's proposal for elections in Italy. He also points out that the causes for numerous party groups in all countries lie deeper than the electoral system, that they are to be found in new social and economic forces, and that since the splitting-up of parties is inevitable, England had better face the new conditions with a properly adjusted system of representation.

A second edition of Lawrence B. Evans' *Leading Cases on International Law* (pp. xxv, 852) has been published by Callaghan & Co. thus bringing down to date the best general American collection of cases on the subject. The work has been materially enlarged by the inclusion of certain new topics and more complete treatment of others, changes made necessary largely because of the World War and subsequent developments. All

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

the cases, 102 in number, which appeared in the original edition have been retained and 46 new ones have been added, thus increasing the bulk of the volume by almost one-half. The notes, which are a most valuable part of the volume have also been revised in light of the happenings of the past five years; for example, the interesting discussion on pages 723–724 in which the editor writes: "In the course of the Great War several conditions developed which will materially modify the law of war. . . . . One of the first which will be modified or even abolished is that which distinguishes between combatants and non-combatants. In future wars the only non-combatants will be those who are physically unable to contribute anything to the national resources. . . . . This is the inevitable result of organizing a whole nation for war. . . . . In the second place the old distinction between contraband and non-contraband will be little regarded and will perhaps disappear. . . . . In the third place the invention of the submarine and of torpedoes which can be directed by radio makes impossible the maintenance of a blockade in accordance with the old rules." Students of international law are grateful that Mr. Evans has found time from his duties as counsel to the Brazilian Embassy at Washington to enlarge his excellent collection.

The Oxford University Press through its American Branch has published a collection of *Cases Illustrating General Principles of the Law of Contracts* by John C. Miles, Kt., M.A., B.C.L., and J. L. Brierly, M.A., B.C.L. (pp. xvi, 528). The editors announce in the preface that this volume is intended as a companion-book to Anson on *Contracts* and with the exception of a few brief quotations from American decisions they have confined themselves to English decisions. The book is chiefly interesting to American readers as a further indication that the case-method of studying law is gaining ground in England. It would, of course, be impossible to make an exhaustive collection even of the English cases on Contracts in so small a compass, and the editors have intentionally omitted a number of cases which are generally to be found in American case-books on the subject. Within its avowed scope the book is attractively and conveniently arranged and it will doubtless prove a handy reference volume for those who do not have ready access to the English reports.

Judge Edward Abbott Parry of England has written a series of delightful essays under the title *What the Judge Thought* (Alfred A. Knopf, pp.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

283). Short biographical sketches of Abraham Lincoln, William H. Seward, Rufus Choate and Daniel O'Connell are given telling of their experience as attorneys, all of which is rich in anecdotes. The essay on "Legal Outpatients" is an interesting discussion of the cost of litigation in the English courts, especially to the poor; the causes for such costs, and description of what is being done to improve conditions in various countries through arbitration and conciliation courts. Along the same line is the essay "Concerning Legal Reform" which shows that there is need for reform in the English judicial system as well as in the American, inquires into existing defects of the law, and proposes measures of reform. One of the chief proposals is for a minister of law with power to coördinate and arrange the business of the English courts in the interests of the community. The other essays cover a wide range and are written in a lighter vein displaying a style and outlook that are genial and witty.

E. T. Raymond has added to his list of interesting biographical sketches *The Life of Lord Roseberry* (George H. Doran Co., pp. vii, 254). About four-fifths of the book is devoted to the public life of Lord Roseberry. There are entertaining accounts of his personal loyalty toward Gladstone, his part in the famous Midlothian campaigns and how this won for him a minor office in the ministry, of his visit to Australia, which made him an imperialist in opposition to the other Liberal leaders, his service as secretary of state for foreign affairs, and his foreign policy, his work as chairman of the London County Council, the difficulties with Harcourt, the premiership and resignation from leadership, his agitation for a reform of the House of Lords, opposition to home rule, the final split with the Liberal Party and his activities as a detached critic. Throughout Mr. Raymond emphasizes the many sides and the puzzling character of Lord Roseberry. He was an aristocrat at heart; yet he was continually attacking and antagonizing the House of Lords and looked upon his peerage as a handicap to his political career.

In the author's opinion Lord Roseberry was a man of great possibilities who never quite reached his goal. "In short," he writes, "the man was a puzzle, and puzzles are always interesting. . . . . But apart from the interest which must cling to a character so enigmatic, there is a further reason for believing that Lord Roseberry will be assigned an importance in history quite disproportionate to his direct achievement. . . . . The last of the aristocratic Liberal statesmen, he will doubtless figure as the decisive factor in the destruction of the

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Liberal party as he found it. . . . . For though Lord Roseberry's efforts to transform the Liberal party met with immediate defeat, it was he, and not those who ostensibly triumphed, who was to determine the character of the New Liberalism. It was little to the purpose that Sir Henry Campbell-Bannerman shut out his brilliant antagonist. . . . Roseberian Imperialism entered in the persons of Sir Edward Grey, Mr. Asquith and Mr. Haldane. Roseberian pseudo-socialism, in somewhat crude form, entered in the person of Mr. Lloyd George." At the same time it is pointed out that Lord Roseberry lived to resent the application of both of these ideas.

The Americanism of Theodore Roosevelt (Houghton Mifflin Co., pp. vii, 317), which is the third volume in the series of publications of the Roosevelt Memorial Association, contains a careful selection of striking passages from the late President's writings and speeches compiled under the editorship of Hermann Hagedorn. The book is divided into three parts. In the first part entitled "The Background" are stories taken from Roosevelt's earlier historical writings. The second part which is more important to students of government is devoted to the "Roosevelt Philosophy" and sets forth his ideas on such topics as the basis of good citizenship, national unity, practical politics, government and business, the judiciary, conservation, class cleavage, national preparedness, nationalism, international relations and international organization for peace. At the time when so much is being said on both sides concerning Roosevelt's attitude toward a league of nations the section devoted to international organization for peace should be carefully read. The third part of the volume entitled "The Man in Action" includes material of an autobiographical nature intended to show that Roosevelt practiced the "realizable ideals" that he preached. The editor has not only made his selection of material in a most judicious manner but the arrangement is such that the reader can follow step by step the unfolding of Roosevelt's ideas regarding the duties of citizenship and his philosophy of government. The book makes a very welcome supplement to *Roosevelt's Autobiography* which closed with 1908, since it contains numerous extracts from his later writings.

Students and teachers of American government and politics will find a large amount of fresh and useful illustrative material in H. H. Kohlsaat's *From McKinley to Harding* (Scribner's, pp. x, 235). The bulk of the book is taken up with stories and personal impressions concerning

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Presidents McKinley and Roosevelt with whom Mr. Kohlsaat was most intimate, but there are also chapters devoted to Taft, Wilson and Harding, whom the author also knew personally. The volume is especially valuable because of the light it throws upon certain political episodes which have been more or less shrouded in mystery. The section which has perhaps attracted most attention is the author's account of how the word "gold" was forced into the Republican platform of 1896. Other significant portions are the chapters on "McKinley Choosing His Cabinet" and the "Taft-Roosevelt Fight for the Presidency in 1912." Mr. Kohlsaat has accompanied many of his impressions with copies of letters in his possession. There is not a dull page in the entire volume and the only regret is that the author did not extend some of his chapters so that we could have learned even more of the interesting details of our political life from one who has had an unusual opportunity to know the politics of the past quarter century from the inside.

Damaged Souls by Gamaliel Bradford (Houghton Mifflin Co., pp. xi, 284) includes biographical sketches of some half dozen persons, all of whom have in the past been subjected to severe public criticism and over some of whose lives there still hangs a cloud. Five of the figures were prominent in American history and politics—Thomas Paine, Benedict Arnold, Aaron Burr, John Randolph, John Brown and Ben Butler. Mr. Bradford's method of treatment is somewhat unique in that he emphasizes the psychological rather than the purely historical side of his characters and attempts to give the reader an insight into the thoughts, motives, moral qualities, and purposes which guided the lives of each, instead of an account of what each one did. The result is a group of biographical studies, which is not only interesting reading but unusual in point of view and technique. The essays on Thomas Paine and John Randolph are especially good. In regard to the latter Mr. Bradford writes: "Of all this group of damaged souls John Randolph of Roanoke was in some respects the noblest; and for that very reason he seems the most pitifully and fatally damaged" (p. 123).

The Editorials of Henry Watterson, founder and for almost a half-century editor of the Louisville *Courier-Journal*, have been compiled and edited with an introduction and notes by Arthur Krock (Geo. H. Doran Co., pp. x, 430). Two parts of the volume entitled "Political Campaigns 1872–1916" and "Personalities," including about one-half of the book, deal almost entirely with political subjects and contain

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

a vast amount of material which should be of value to the teacher and student of American government. It is unnecessary to comment on the vigor of style, the keen analysis, and the brilliance of intellect that are shown in these writings from the pen of one who is commonly regarded as the last of the great editorial writers. The study of these editorials in connection with a history of the period shows in a vivid way how an independent, courageous editorial writer may influence public opinion.

Three Centuries of American Democracy (Henry Holt & Co., pp. 346) by William MacDonald is an accurate and readable history written especially for those "who want to know the main facts and the formative influences in the growth of the United States as a democratic nation, but who nevertheless have no time to read elaborate narratives or to study a series of books on special periods or topics." The author has been most skillful in condensing the chief events connected with the history of the United States into a small volume without destroying the proportion or neglecting significant facts and developments. The book closes with a chapter devoted to "Politics and the American Mind," which expresses the idea that from the framing of the Constitution on, "whether the tide ebbed or flowed, the intellectual and moral life of the nation was inseparably bound up with politics: politics of leadership and parties, politics of territorial expansion and wilderness conquest, politics of states in conflict with the federal power, politics of slavery and disunion, politics of industry and economic strength" (p. 291). For college students in government who cannot take a course in American history, as well as for the general reader, this book should prove extremely helpful and interesting.

A Primer of Citizenship by Mrs. Reginald De Koven (E. P. Dutton & Co., pp. x, 201) is intended for the youthful reader and future voter. It sets forth in a clear, interesting and simple manner the story of the founding of America, explains what is meant by good citizenship and patriotism, describes the evolution and present workings of our local, state and national governments, and the meaning of law. The book closes with chapters on "Dangers to Our Government" and "What is a Republic?" There are some errors and omissions in the book such as the statement on page 80 that "Massachusetts elects both Senators and Representatives to the State Legislature *annually*." In discussing reforms in city government only the commission form is described

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

and no mention is made of the manager plan. In discussing the fourteenth amendment the "due process of law" and "equal protection" clauses are not mentioned.

The Stratford Company of Boston has published *An Epitome of History* by M. Louise McLaughlin (pp. 85). As indicated by the title, the book is an outline setting forth in tabular form the chief events in the history of the world from earliest times to 1919. The data is arranged in four parallel columns, the first including developments in government; the second in religion and philosophy; the third in literature, science and the arts; the fourth giving a list of important events. There are a number of errors of fact and in proof-reading; for example, "Thomas Jefferson became President of the United States of America for the second time, *1840,*" and "The Monroe Doctrine formulated, *1825.*" The chronological order is also somewhat confusing, and the distinction between facts listed under government and those listed under important events is not always clear. There is no index and the table of contents is inadequate for a book of this nature.

Roman Politics by Frank Frost Abbott (Marshall Jones, pp. vi, 177) which appears in the series entitled *Our Debt to Greece and Rome* illustrates the dangers run as well as the profits derived from the study of politics by the comparative method alone. Professor Abbott examines the political institutions of Rome with the use of only modern states (and usually only the United States) as bases of evaluation. Some of his analogies, such as that between the senates of Rome and of the United States, are strained. Certain of his statements, such as that "the Roman system was pure parliamentary government in a higher degree than is the system in vogue in any modern state" (p. 82) are unwise in terminology if not in substance. On the other hand such comparisons as that of our referendum with the Roman senate's referendum of laws to the assembly is interesting, and the comparison of the two imperialisms is striking and useful. The necessary brevity of the essay has encouraged looseness of statement, but it has also permitted suggestiveness and stimulation.

The Founding of the Roman Empire by Frank Burr Marsh is the first volume in the new series of University of Texas Studies (University of Texas, pp. vii, 329). The author shows how the Roman Republic broke down because of the serious administrative and military

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

problems imposed by the conquests of the Mediterranean world, and how despotism was the result of the administrative necessities of the empire rather than the personal choice or character of Augustus.

The Macmillan Company has brought out in a uniform edition of eight volumes the various works of the late Henry C. Lea relating to the inquisition in the Middle Ages, in Spain, and in the Spanish dependencies. The series bears as its general title *The History of the Inquisition*. Dr.Lea's volumes were recognized, at the time of their initial publication, as great contributions to the history of a remarkable institution. Their reputation for comprehensiveness, accuracy, and vividness of style has not suffered with the lapse of years. This series is one which no historical library can afford to be without.

Walter Geer's volume on *The French Revolution* (Brentano's, pp. 413) possesses the merit of his earlier works on the two Napoleons. It is a historical sketch, featuring the picturesque phases of the subject and written in a vivid style. The author has made himself familiar with the special literature of the period and has earnestly endeavored, with some degree of success, to avoid partisanship. The typography and illustrations are especially fine.

The Second Empire by Philip Guedalla (Putnams, pp. 457) is remarkable for the vigor and distinction of its style. As a pen-picture of Napoleon III, his ministers and his court, this volume is hardly to be excelled in the English language. The author's aptness of phrasing and his facility in coining epigrams have enabled him to endow the book with an unusual degree of literary attractiveness.

The World Book Company has published *A Short Social and Political History of Britain* by R. L. Mackie (pp. 439), which is intended for use in the lower classes of secondary schools. The author has been extremely successful in producing a clear and interesting narrative which presents important developments in their proper perspective. A list of important dates and a carefully arranged synopsis are included in the volume which is above the average of secondary text books.

Students of history are turning with increased interest to Anglo-American relations. The late war brought to many a sense of the need for a better understanding and coöperation between the two great English-speaking peoples and directed the attention of scholars to the

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

study of their relations. *Jay's Treaty* by Samuel Flagg Bemis (The Macmillan Co., pp. 271) comes at an opportune time. The author has examined carefully and extensively source-materials bearing upon the problem of the Canadian border, the commercial question and the European situation; and their effect upon the instructions of the American plenipotentiary, as well as the weight each had upon the cabinet at London, is appraised. Professor Bemis has made a valuable contribution to the present meager knowledge and understanding of Anglo-American diplomacy between 1783 and 1796. Several very interesting documents are attached, some of which have heretofore been inaccessible to the general reader. This book was awarded the $3000 prize offered by the Knights of Columbus in 1922.

England after the War, by C. F. G. Masterman (Harcourt, Brace & Co., pp. 311) is a collection of essays describing the changes which have come over various phases of English life, political, social, and economic, as a result of the great conflict. With great perspicacity and an admirable power of delineation the author demonstrates how far-reaching these changes have been. They have not been mere changes in methods or machinery as applied to national life, but reach down into the very foundations of British social organization.

Professor A. Berriedale Keith has collected for the World Classics series, two volumes of *Speeches and Documents on Indian Policy*, 1750–1921. (Oxford University Press, London, 1922, pp. 386, 364). They include treaties, speeches, proclamations and acts concerning India, ranging from the establishment of the East India company down to the Government of India Act of 1919.

Current Problems of Municipal Government (pp. xiii, 542) compiled by Lamar T. Beman is one of the most recent volumes in the Handbook Series published by the H. W. Wilson Company. The book consists of selections from the writings of numerous authorities and is divided into four parts. Part I is a general discussion of American city government with particularly reference to the growth of cities, the evolution of municipal government in the United States, the evils of city government and their causes. The remaining sections consider the leading remedies proposed. Part II takes up municipal home rule; Part III is devoted to commission government; and Part IV to the city-manager plan. There is an extensive bibliography for each part with references to periodical literature as well as to books; for the last three parts there

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

are discussions for and against each remedy proposed, as well as detailed affirmative and negative briefs. While many of the extracts are from well-known works, there are numerous selections from less accessible sources such as newspapers, local bulletins, reports of special committees, statements from prominent persons, and so on, all of which increase materially the value of the work. This volume should be helpful not only as a reference book but also for discussion clubs, in preparing debates, and in many other ways.

Three Types of Practical Ethical Movements of the Last Half Century, by Leo Jacobs (The Macmillan Company, pp. xii, 184) is interesting chiefly for the subject matter with which it deals, rather than for the way in which it treats this subject matter. The "three types of practical ethical movements" are: (1) "Christian Socialism," (2) "The Social Ethical Movement," meaning the Social Settlement Movement, (3) "The Pure Ethical Movement," that is, the Ethical Culture Movement. The author is so thoroughly convinced that in the "Pure Ethical Movement" rests "the hope of the moral reform of our social order" that he does considerably less than justice to the other two movements. There is, however, fairly adequate historical and expository material presented for all three movements, and the book possesses some value on this account, for the nature and progress of these social reform movements is a subject deserving far greater attention than students have heretofore given it.

Rear Admiral William S. Benson, a member and past chairman of the United States Shipping Board, has contributed a monograph to the Knights of Columbus Historical Series on *The Merchant Marine* (The Macmillan Company, pp. x, 183). It is essentially a description of the more recent attempts to develop an American mercantile marine, introduced by a brief historical survey of merchant shipping from the earliest times. Admiral Benson acknowledges his indebtedness to earlier historians, especially Spears, Marvin, and Bates. The most valuable chapters are those in which he depicts the work of the shipping board and emergency fleet corporation, in which he played an important part during and after the war. Without pretense to an exhaustive study he offers an interesting summary of the policies which in recent years have actuated the government's efforts to fly the American flag on the seven seas. He offers no specific solutions, but urges the necessity of an adequate merchant marine, "A necessity in time of war, a source of independence and strength in time of peace."

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

The Federal Reserve System Legislation, Organization and Operation by Henry Parker Willis, with an introduction by Hon. Carter Glass, (Ronald Press pp. xiv, 1753) is a standard work. The author, professor at Columbia, was the expert of the House banking and currency committee which reported the Federal Reserve Act, chairman of the federal reserve organization committee of experts, and also for a number of years secretary of the federal reserve board. He is thus in a position to present an authoritative and exhaustive account of the system, based on a vast amount of first-hand information. Although very readable, the book is too long to be popular. It will command attention, however, not only among economists and bankers, but among students of politics who desire accurate and complete information about one of the leading problems of the present day. The historian will also find in it significant remarks on the workings of Congress and war finance. The sixty-seven chapters are grouped into three books: the passage of the Federal Reserve Act; Organizing the Federal Reserve System; and, the Federal Reserve System in Operation. Legislation, proposed and actual, is given in an appendix. The student of politics will probably find Book I, and the chapters on banking and politics, of most interest.

Alfred A. Knopf has published a volume on *Principles of Public Finance* by Hugh Dalton (pp. xii, 208), of the University of London. The first part discusses, by way of introduction, the nature of public finance, the main divisions and principles underlying the subject, and the difference between public and private finance. Part II treats of public income with particular emphasis on the characteristics of a good tax system and the effects of taxation on the production and distribution of wealth. Part III deals with public expenditures including its objects, forms, and effects; Part IV is devoted to public debts. "The maximum social advantage" is regarded as the most essential principle which should underlie a system of public finance, although it is recognized that application of the principle is often very difficult.

A second edition of R. G. Hawtrey's *Currency and Credit* has just been published by Longmans, Green & Co. (pp. viii, 442). It deals not only with the usual topics of metallic money, credit, note issue, foreign exchange and crises, but also with war finance and international indebtedness. Throughout, money is treated as subsidiary to credit. The new edition not only contains the wealth of historical and current

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

material of the first but also takes account of the changes since 1919. The author does not exalt any single practical measure as a panacea of current disorders, and considers the gold standard the normal condition of things and its abandonment a temporary aberration.

International Exchange, Normal and Abnormal (The Ronald Press, pp. vi, 600) by Thomas York, formerly foreign exchange editor of the Wall Street Journal, while lacking some of the smoothness in presentation of other works in this subject, especially that of Professor Furniss, is of special value in giving clearly and fully a description of the highly involved dealings in the foreign exchange market, both under normal conditions and under those induced by the presence of depreciated paper money.

In *Coöperative Democracy* (Macmillan, pp. xx, 493), James P. Warbasse, president of the Coöperative League of America, presents an enthusiastic argument for consumers' coöperation. Despite the author's great knowledge of his subject, many of his statements will not pass unchallenged by the student of politics, such as the following: Labour members of Parliament "have usually proved of little value to Labour and many of them have sold out to the opponents of Labour" (p. 181); "The State was created as an organization in which the dominant forces in society protected themselves against the suppressed forces" (p. 113); "The coöperative Movement stands for the private ownership of property" (p. 130); "The criminal is a fiction created by the State" (p. 206).

The University of Chicago Press has just published in its series, Materials for the Study of Business, *The Worker in Modern Society*, by Paul H. Douglas, Curtice N. Hitchcock and Willard E. Atkins (pp. xiii, 929). The readings, selected from many sources, deal primarily with American conditions and are grouped under seven main headings: human nature and industry, the development of economic organization, the worker in his relation to the market, security and risk, the worker's approach to his problems, the employer's approach, the community's approach.

A study of *Cycles of Unemployment in the United States, 1903–1922* by William A. Berridge (pp. xiii, 87) has been published by The Houghton Mifflin Company for the Pollak Foundation for Economic Research. This is a very careful statistical analysis, which attempts to show not only the fluctuations in unemployment but also the relation

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

between unemployment and production, and the extent to which an index of unemployment is a reliable barometer of business conditions. *Unemployment and Our Revenue Problem* by John S. Codman (Huebsch pp. 64) is written from a widely different point of view. It is Mr. Codman's thesis that unemployment is due to our system of taxation and land tenure, which penalize industry, and as a cure-all he proposes a special tax on the privilege of holding land, or in other words a form of single tax.

Milton Nels Nelson's *Open Price Association* (University of Illinois Studies in the Social Sciences, Vol. X, No. 2; pp. 240) contains a comprehensive study of a recent form of associated activity among manufacturers, which attempts to eliminate the wastes of ignorant competition and to avoid exploitation by monopolists. Although the author modestly calls his study introductory, not exhaustive, he has contributed an account of this new movement which will be welcomed by students of economics and politics. He comes to the conclusion that the function of collecting, compiling, and disseminating business statistics should be turned over to the government.

The Oxford University Press through its American Branch has published several pamphlets containing addresses and lectures on subjects of interest to political scientists. Among these are *National Policy and Naval Strength, XVI to XXth Century* by Rear-Admiral H. W. Richmond; *Adam Smith* by W. R. Scott; and *Law and the Humanities* by J. E. G. De Montmorency.

Among the recent monographs in the Studies in History, Economics and Public Law issued by Columbia University are *The Bank of the State of Missouri* by John Ray Cable (pp. 319); *Legislative History of America's Economic Policy Toward the Philippines* by José S. Reyes (pp. 205); *The Regime of the International Rivers: Danube and Rhine* by J. P. Chamberlain (pp. 317), and *Ledru-Rollin and the Second French Republic* by Alvin R. Calman (pp. 452).

Three of the recent studies issued by the Carnegie Endowment for International Peace through its Division of Economics and History are *Expenditures of the Russo-Japanese War* by Gotaro Ogawa, *Expenditures of the Sino-Japanese War*, and *War and Armament Expenditures of Japan* by Giichi Ono.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

RECENT PUBLICATIONS OF POLITICAL INTEREST

BOOKS AND PERIODICALS

CLARENCE A. BERDAHL

University of Illinois

AMERICAN GOVERNMENT AND PUBLIC LAW

Books

Adams, James Truslow. Revolutionary New England, 1691–1776. Boston, Atlantic Monthly Press.

Alexander, Harold David, comp. Bender's hand book for grand jurors; their powers and duties. 9th ed. Pp. 56. N. Y., M. Bender & Co.

Atkinson, Raymond C. The effects of tax limitation upon local finance in Ohio, 1911–1922. Pp. ix + 138. Cleveland, Privately printed.

Burgess, John W. Recent changes in American constitutional theory. N. Y., Columbia Univ. Press.

Burton, Theodore E. The constitution of the United States. Its origin and distinctive features. New Haven, Yale Univ. Press.

Butler, Nicholas Murray. Building the American nation. Pp. 310. N. Y., Scribner's.

Clifford, Philip Greeley. Nathan Clifford, democrat. Pp. ix + 356. N. Y., Putnam's. 1922.

Fair, Eugene. Public administration in Missouri. (Bulletin of the State Teachers' College, Pol. Sci. Series No. 1.) Pp. 270. Kirksville (Mo.), Journal Printing Co.

Hendrick, Burton J. The Jews in America. N. Y., Doubleday, Page.

Hennessy, Francis. Citizen or subject. N. Y., Dutton.

Holt, Lucius Hudson. The elementary principles of modern government. Pp. x + 576. N. Y., Macmillan.

Institute for Government Research. Service monographs of the U. S. government: *Bernhardt, Joshua.* The railroad labor board. Pp. 83. *Bernhardt, Joshua.* The division of conciliation. Pp. 47. *Holt, W. Stull.* The bureau of public roads. Pp. 123. *Schmeckebier, Laurence F.,* and *Eble, Francis X. A.* The bureau of internal revenue. Pp. 283. Baltimore, Johns Hopkins Press.

Johnson, Willis E., and *Ransom, Frank L.* Community civics. Pp. 302. Mitchell (S.D.), Educator Supply Co.

Lindquist, G. E. E. The red man in the United States. N. Y., Doran.

Lodge, Henry Cabot, ed. The federalist. New ed., with introduction by Charles W. Pierson. N. Y., Putnam's.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Lyndon, Lamar. Rate making for public utilities. Pp. vii + 209. N. Y., McGraw-Hill Book Co.

McElroy, Robert. Grover Cleveland, the man and statesman. 2 vols. N. Y., Harper's.

McIlwain, Charles H. The American revolution. N. Y., Macmillan.

McKee, M. M. The ship subsidy question in United States politics. (Smith College Studies in History, vol. VIII, no. 1.) Pp. 60. Northampton (Mass.), Smith College.

Miller, William Kix. Consolidated United States income tax laws since 1909, with regulations and digest of court decisions and unofficial rulings. Pp. 1523. N. Y., Commerce Clearing House.

Morgan, Charles Stillman. The regulation and management of public utilities. (Hart, Schaffner & Marx Prize Essay.) Boston, Houghton Mifflin.

Morse, Anson D. Parties and party leaders. Pp. 238. Boston, Marshall Jones.

Murphy, David A. The eighteenth amendment. Pp. 108. N. Y., Peter P. Mulligan.

National Industrial Conference Board. The immigration problem in the United States. (Research Report No. 58.) Pp. viii + 130. N. Y., Nat. Industrial Conf. Board.

Reyes, José S. Legislative history of America's economic policy toward the Philippines. (Columbia Univ. Studies in Hist., Econ., and Pub. Law.) Pp. 205. N. Y., Longmans.

Stimson, Frederic Jessup. The American constitution. As it protects private rights. N. Y., Scribner's.

Turkington, Grace A. My country; a textbook in civics and patriotism for young Americans. Pp. v + 418. Boston, Ginn & Co.

Walnut, T. Henry, ed. Prohibition and its enforcement. Pp. iv + 285. Annals Am. Acad. Sept., 1923.

Willis, Henry Parker. The federal reserve system. Pp. 1765. N. Y., Ronald Press.

Young, James T. The new American government and its work. (Second revised edition.) Pp. xvi + 743. N. Y., Macmillan.

Articles

Administrative Law. Constitutional aspects of American administrative law. *Cuthbert W. Pound.* Am. Bar Assoc. Jour. July, 1923.

Agricultural Relief. Legislation for the farmers, packers and grain exchanges. *G. O. Virtue.* Quar. Jour. Econ., Aug., 1923.

———. Grain marketing under government rule. *Edward Jerome Dies.* World's Work. Aug., 1923.

———. The agricultural credits act of 1923. *V. N. Valgren.* Am. Econ. Rev. Sept., 1923.

Amendment. Perils to be apprehended from amending the constitution. *A. M. Holding.* Am. Law. Rev. July–Aug., 1923.

Budget. Practical problems arising in the administration of the national budget system. *Herbert M. Lord.* Econ. World. July 21, 1923.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Child Labor Case. The child labor cases and the constitution. *William A. Sutherland.* Cornell Law Quar. June, 1923.

Civil Service. The administration of the federal reclassification law. *Robert Moses.* The one-man civil service commission in Maryland. *Fred Telford.* Nat. Mun. Rev. June, July, 1923.

Coal Control. The coal commission reports. *George Soule.* New Repub. July 25, 1923.

———. The terms of settlement of the anthracite coal mining controversy proposed by Governor Pinchot. *Arthur Richmond Marsh.* Econ. World. Sept. 1, 1923.

———. Coal control and the constitution. *Charles Kellogg Burdick.* No. Am. Rev. Sept., 1923.

Congress. What's the matter with congress? *Frank Wheeler Mondell.* Rev. of Revs. July, 1923.

Constitution. Unusual facts about the constitution. *Cleveland Cabler.* Am. Law Rev. May–June, 1923.

———. Back to the constitution. *David C. Stephenson.* Spotlight. July.

———. Compromises of the Constitution. *Randolph Harrison.* Const. Rev. July, 1923.

Constitutional Law. Twenty years of Mr. Justice Holmes' constitutional opinions. *Felix Frankfurter.* Harvard Law Rev. June, 1923.

———. Decisive battles of constitutional law. V. The Dartmouth college case. VI. The Charles River bridge case. VII. The Genesee chief. *F. Dumont Smith.* Am. Bar Assoc. Jour. June, July, Aug., 1923.

Federal Aid. Federal aid legislation. *Charles K. Burdick.* Cornell Law Quar. June, 1923.

Federal Relations. Development of the federal idea. *Marvin B. Rosenberry.* No. Am. Rev. Aug., 1923.

———. Limit of state and federal jurisdiction. *Maurice Donahue.* Am. Bar Assoc. Jour. Aug., 1923.

———. Federal encroachments upon state sovereignty. *Edward P. Buford.* Va. Law Register. Sept., 1923.

Fraud Orders. Closing the mail box to frauds. Making crooked promotion unprofitable. *Harry S. New.* World's Work. July, Aug., 1923.

Good Roads. Financing highways in Texas. *W. M. W. Splawn.* Southwestern Pol. and Soc. Sci. Quar. June, 1923.

Immigration. World migrations and American immigration. *Judson C. Welliver.* Rev. of Revs. Aug., 1923.

———. Shall we restrict immigration? (1) Selective immigration. *James John Davis.* (2) Immigration and industry. *John Emmett Edgerton.* Forum. Sept., 1923.

———. Selecting citizens. *Cornelia James Cannon.* No. Am. Rev. Sept.

Injunction. The injunction and the railroad strike. *O. R. McGuire.* Georgetown Law Jour. May, 1923.

———. California justice. *Zechariah Chafee, Jr.* New Repub. Sept. 19.

Interstate Commerce Commission. The interstate commerce commission as an arbiter of the general economic life of the country. *Arthur Richmond Marsh.* Econ. World. June 30, 1923.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Judicial Review. Curbing the supreme court. *Joseph D. Sullivan.* Georgetown Law Jour. May, 1923.

———. The power of the courts to declare laws unconstitutional. *Warren H. Pillsbury.* Calif. Law Rev. July, 1923.

———. The attack upon the supreme court. *Ira Jewell Williams.* Const. Rev. July, 1923.

———. The supreme court's five to four decisions. *Thomas J. Norton.* Am. Bar. Assoc. Jour. July, 1923.

———. Shall the congress rule? *Eugene McMillan.* Central Law Jour. Aug. 5, 1923.

Ku Klux Klan. Counter-mining the ku klux klan. The ku klux klan in the middle west. Ancestry and end of the ku klux klan. *Robert L. Duffus.* World's Work. July, Aug., Sept., 1923.

Labor Disputes. Rights and privileges in labor controversies. *E. S. T.* Yale Law Jour. June, 1923.

———. Federal intervention in labor disputes. II. *Marjorie Jean Bonney.* Minn. Law Rev. June, 1923.

———. Problems in recent labor decisions in Illinois. *John H. S. Lee.* Ill. Law Rev. June, 1923.

———. The Kansas court of industrial relations, its spokesmen, its record. *Herbert Feis.* Quar. Jour. Econ. Aug., 1923.

Legislature. Our legislative mills. I. California—the home of the split session. *Victor J. West.* II. Oregon. *Elbert Bede.* Nat. Mun. Rev. July, Sept., 1923.

Minimum Wage Decision. The minimum wage act. *A. A. B.* Ill. Law Rev. June, 1923.

———. Minimum wage for women. *B. N. G.* Calif. Law Rev. July, 1923.

Monopoly Laws. About our monopoly laws. *John H. Atwood.* Am. Bar. Assoc. Jour. July, 1923.

Naturalization. Aliens: naturalization: who is a "white" person? *R. L. H., Jr.* Calif. Law Rev. July, 1923.

Negro Problem. The negro exodus from the south. *Eric D. Walrond.* Should the color line go? *Robert Watson Winston.* The negro's greatest enemy. *Marcus Garvey.* Current Hist. Sept., 1923.

Nonpartisan League. The nonpartisan league and some of its North Dakota experiments. *H. C. Young.* Const. Rev. July, 1923.

———. The political cyclone in North Dakota. La Follette, Shipstead, and the embattled farmers. Brookhart, Howell, and "Brother Charley" Bryan. *Chester H. Rowell.* World's Work. July, Aug., Sept., 1923.

North Carolina. The march of progress in North Carolina. *Carl K. Hill.* Nat. Mun. Rev. Sept., 1923.

Ordinance Power. Ordinance making powers of the president. *James Hart.* No. Am. Rev. July, 1923.

Personal Politics. Personal politics in Indiana, 1816–1840 (continued). *Adam A. Leonard.* Ind. Mag. Hist. June, 1923.

Political Geography. The development of trans-Mississippi political geography. *Ruth L. Higgins.* Ia. Jour. Hist. and Pol. July, 1923.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Politics. Progressivism, old and new. *Charles Merz.* Atlan. M. July, 1923.

———. Problems and politics in the United States. Round Table. June.

———. The democratic dark horse pasture. *Mark Sullivan.* World's Work. July, 1923.

———. The farmer-labor fiasco at Chicago. *Robert Morss Lovett.* New Repub. July 18, 1923.

———. The third party movement. *George Henry Payne.* Forum. Sept.

Populist Party. The economic basis of the populist movement in Iowa. *Herman Clarence Nixon.* Ia. Jour. Hist. and Pol. July, 1923.

Porto Rico. Progress (and poverty) in Porto Rico. *Arthur Warner.* Nation. Aug. 15, 22, 1923.

———. Our quarter century in Porto Rico. *Arthur Warner.* Century. Sept., 1923.

President. M. Calvin Coolidge. *Augustin Leger.* Rev. de Paris. Aug. 15.

———. The late President Harding and the succession. *J. D. Whelpley.* Fort. Rev. Sept., 1923.

———. Harding—man and president. *Judson C. Welliver.* Rev. of Revs. Sept., 1923.

Primary. The tory and the primary. *George Henry Payne.* Forum. Aug., 1923.

Prohibition. La dernière offensive prohibitioniste aux États-Unis. *Georges Lechartier.* Le Correspondant. July 10, 1923.

———. Majority rule the test of prohibition. *Wayne B. Wheeler.* Four years of prohibition. *Robert E. Corradini.* Current Hist. Aug., Sept., 1923.

———. The drink problem in the United States. *Sir Harry Perry Robinson.* Nine. Cent. Sept., 1923.

———. Le régime sec aux États-Unis. *P. Desfeuilles.* Mercure de France. Sept. 1, 1923.

Public Utilities. State and municipal ownership of public utilities from the insurance man's point of view. *Henry Swift Ives.* Econ. World. July 7, 1923.

State Administration. Pennsylvania reorganizes. *Leonard P. Fox.* Nat. Mun. Rev. Sept., 1923.

State Compacts. The Colorado river problem. II. *N. E. Corthell.* Am. Bar Assoc. Jour. June, 1923.

Supreme Court. Histories of the supreme court of the United States written from the federalist point of view. *Charles Grove Haines.* Southwestern Pol. and Soc. Sci. Quar. June, 1923.

———. The golden age of the supreme court. *James M. Beck.* Am. Law Rev. July–Aug., 1923.

Taxation. Relief from double taxation of personal incomes. *John MacArthur Maguire.* Yale Law Jour. June, 1923.

———. State income and taxation. *E. T. Miller.* Southwestern Pol. and Soc. Sci. Quar. June, 1923.

———. Retroactive taxation. *T. W. D. Duke.* Va. Law Register. Aug.

———. Generally unnoted purposes for which the national government spends the money of the tax payers. *William P. Helm, Jr.* Econ. World. Aug. 18, 1923.

———. The crying need for uniform and equitable inheritance tax laws in the United States. *Theodore S. Cady.* Econ. World. July 14, 1923.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Uniform Legislation. Les tendances à l'unification du droit aux États-Unis. *Ed. Lambert.* Bull. Mens. Légis. Comp. Apr.–June, 1923.

———. Uniformity of regulatory laws through federal models. *J. P. Chamberlain.* Am. Bar Assoc. Jour. June, 1923.

Water Rights. Interstate rights in interstate streams in the arid west. *L. Ward Bannister.* Harvard Law Rev. June, 1923.

Woman's Party. The woman's party—right or wrong? *Elizabeth Glendower Evans* and *Carol A. Rehfisch.* New Repub. Sept. 26, 1923.

FOREIGN AND COMPARATIVE GOVERNMENT

Books

Anon. The mirrors of France. Translated by Winifred Katzin. N. Y., Knopf.

Barnes, George N. From workshop to war cabinet. London, Herbert Jenkins.

Bauer, Otto. Die oesterreichischer Revolution. Vienna, Verlag der Wiener Volksbuchhandlung.

Bianchini, Giuseppe. Rivoluzione "fascista e partito liberale. Milano, "La Stampa Commerciale."

Bigham, Clive. The chief ministers of England. 920–1720. N. Y., Dutton.

Bryant, Sophie. Liberty, order and law: under native Irish rule, a study in the book of the ancient laws of Ireland. Pp. xxiii + 399. London, Harding & More.

D'Herbigny, Michel. La tyrannie soviétique et le malheur russe. Paris, Éditions Spes.

Dibelius, Wilhelm von. England. 2 vols. Berlin, Deutsche Verlage-Anstalt.

Ewart, John S. Canada and British wars. Pp. 88. Ottawa, John S. Ewart.

Ferris, William. The Gaelic commonwealth: being the political and economic programme for the Irish progressive party. Pp. xi + 161. Dublin, Talbot Press.

Gardiner, A. G. The life of Sir William Harcourt. 2 vols. N. Y., Doran.

Gorgolini, Pietro. The fascist movement in Italian life. Translated and edited by M. D. Petre. London, T. Fisher Unwin.

Graves, Philip. Palestine: the land of three faiths. London, Cape.

Hahn, W., and *Lilienfeld-Toal, A. v.* Der neue Kurs in Russland. Pp. 108. Jena, Fisher.

Hessen, I. V., pub. Arkhiv rousskoi revolutzii (archives of the Russian revolution). Vols. I–X. Berlin, Logos.

James, Herman G., and *Martin, Percy A.* The republics of Latin America. N. Y., Harper's.

Krasnoff, P. N. From the two-headed eagle to the red flag (1894-1921). 4 vols. Pp. 1553. N. Y., Brentano's.

Loening, Hellmuth. Die Verfassung des Landes Thüringen. Pp. 116. Weimar, Panses Verlag.

Lutz, R. H. The German revolution of 1918–19. Pp. 186. Palo Alto, Stanford Univ. Press. 1922.

McCracken, W. D. The new Palestine. Pp. 406. London, Cape.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Martin, Charles E., and *George, William H.* Representative modern constitutions. Los Angeles, Times-Mirror Press.

Masloff, S. S. Russia after four years of revolution. Pp. 237. London, P. S. King.

Mattern, Johannes. Bavaria and the Reich. The conflict over the law for the protection of the republic. (Johns Hopkins Univ. Studies in Hist. and Pol. Sci., series XLI, no. 3.) Pp. 125. Baltimore, Johns Hopkins Press.

Meiszner, O. Das neue Staatsrecht des Reichs und seiner Länder. Pp. 359. Berlin, Hobbing.

Mercier, Maurice. La formation de l'état tchécoslovaque. Paris, Crès.

Montandon, George. Deux ans chez Kolchak et chez les bolchéviques. Pp. 318. Paris, Alcan.

Nygh, W. J. C. A. La politique financière des Pays-Bas pendant la guerre. Pp. 129. La Haye, Nijhoff.

O'Brien, William. The Irish revolution and how it came about. Pp. 468. London, Allen & Unwin.

Robertson, J. M. Mr. Lloyd George and liberalism. Pp. 128. London, Chapman & Dodd.

Rothstein, Andrew, ed. The soviet constitution. Pp. 142. London, Labour Pub. Co.

Téry, Simone. En Irlande, de la guerre d'indépendance à la guerre civile, 1914–1923. Paris, Flammarion.

Vermeil, Edmond. La constitution de Weimar et la principe de la "democratie allemande." Strasbourg, Librairie Istra.

Williams, E. T. China yesterday and today. N. Y., Crowell.

Woodhead, H. G. W., ed. The China year book, 1923. Pp. xxxviii + 1243. London, Simpkin Marshall.

Articles

Australia. State paternalism in the Antipodes. *F. A. W. Gisborne.* Quar. Rev. July, 1923.

———. Wages regulation and children's maintenance in Australia. *Paul H. Douglas.* Quar. Jour. Econ. Aug., 1923.

Austria. Völkerrechtliche Bemerkungen zur österreichischen Bundesverfassung. *Josef L. Kunz.* Annalen Deutschen Reichs. No. 3/4, 1921/22.

———. Le relèvement de l'Autriche et la reprise de son commerce extérieur. *Charles Rist.* Rev. Pol. et Parl. June, 1923.

Belgium. Fleming *versus* Walloon. *Henry de Man.* Atlan. M. July, 1923.

———. The Flemish demand for autonomy. *Hubert Langerock.* Current Hist. Aug., 1923.

Brazil. Brazil yesterday and today. *Eugene Seeger.* Current Hist. July, 1923.

British Empire. The new imperial problem. Round Table. June, 1923.

———. Canada, the empire, and the imperial conference. *W. P. M. Kennedy.* Contemp. Rev. June, 1923.

———. Le statut des dominions. *Henri Rolin.* Rev. Droit Inter. et Légis. Comp. No. 2–3, 1923.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

British Empire. Is British empire economic unity possible? *Sir Travers Clarke.* Malaya and the empire. *R. O. Winstedt.* Nine. Cent. July, 1923.

———. The imperial constitution and the imperial conference. *A. Berriedale Keith.* Empire or commonwealth? *Sir C. Alexander Harris.* Edin. Rev. July, 1923.

———. The British commonwealth of nations. *Sir Robert L. Borden.* Yale Rev. July, 1923.

———. Britain's far-flung empire of the sea. *Johannes Lepsius.* Current Hist. Aug., 1923.

———. The peopling of the British empire. *Harold Cox.* Foreign Affairs. Sept., 1923.

Bulgaria. La Bulgarie depuis la paix. *Cᵉ L. Lamouche.* Rev. Pol. et Parl. June, 1923.

———. Die politische und wirtschaftliche Lage in Bulgarien. *Gustav Herlt.* Österreich. Rundschau. June, 1923.

———. A peasant statesman: Alexander Stambulisky. *A. L. Kennedy.* The Bulgarian revolution. *H. Charles Woods.* Fort. Rev. Aug., 1923.

———. The Bulgarian coup and afterwards. *J. Walter Collins.* Contemp. Rev. Sept., 1923.

———. Stambulisky's last days. *Constantine Stephanove.* Current Hist. Sept., 1923.

Canada. A treaty and a signature. *Sir John Willison.* The first assembly in lower Canada. *F. H. Soward.* Canadian Hist. Rev. June, Sept., 1923.

———. The treaty making power of Canada. *A. Lawrence Lowell.* Foreign Affairs. Sept., 1923.

———. The agrarian movement in Ontario. *Peter H. Bryce.* Current Hist. Sept., 1923.

Central Europe. The future of the central European states. *Dudley Heathcote.* Fort. Rev. Aug., 1923.

———. Reaction triumphant in central Europe. *Emil Lengyel.* Current Hist. Sept., 1923.

China. La politica bolscevica in Cina. *Aurelio Palmieri.* Politica. Jan.-Feb.

———. Le bilan d'une année de politique en Chine. *André Duboscq.* Rev. Pol. et Parl. Aug., 1923.

Czechoslovakia. Le tribunal constitutionnel tchécoslovaque. *Ed. Peska.* Rev. Droit Pub. et Sci. Pol. Apr.-June, 1923.

———. La vie politique en Tchécoslovaquie. *Emmanuel Cenkov.* Rev. Pol. et Parl. May, 1923.

———. American influence on political thought in Czechoslovakia. *Vaclav Partl.* Am. Pol. Sci. Rev. Aug., 1923.

———. Dr. Edouard Benes. *R. H. Bruce Lockhart.* Fort. Rev. Sept.

Denmark. Politiske interviews. *N. P. Jensen.* Tilskueren. Aug., 1923.

Esthonia. The communist menace in Esthonia. *Andrew Pranspill.* Current Hist. Sept., 1923.

France. Economic Conditions. La situation financière de la France exposée aux Américains. *Robert Masson.* Rev. Pol. et Parl. June, 1923.

———. The economic and financial situation of France. *Paul Duran.* Econ. World. July 7, 1923.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

France. Economic Conditions. La dépopulation de la France, ses dangers et ses causes. *Ambroise Got.* Mercure de France. Aug. 1, 15, 1923.

———. France and her colonial resources. *Denis Gwynn.* Contemp. Rev. Sept., 1923.

———. **Government.** Teoria e realtà nella costituzione francese del 1791. *Francesco Ercole.* Politica. Jan.-Feb., 1923.

———. L'aspect actuel de la réforme électorale. *Georges Bonnefous.* Rev. de Paris. June 1, 1923.

———. Pour la vraie représentation de la France. *E. Aubry-Vitet.* Rev. Deux Mondes. June 1, 1923.

———. La haute-cour de justice et la révision de la constitution. *H. Morellet.* Rev. Pol. et Parl. July, 1923.

———. Parliamentary commissions in France. I. *Lindsay Rogers.* Pol. Sci. Quar. Sept., 1923.

———. **Politics.** The French monarchists of today. *Lowell J. Rogatz.* Nationalists and radicals at grips in France. *Joseph Caillaux.* The strength of Poincaré's leadership. *William MacDonald.* Current Hist. July, Sept., 1923.

———. Der französische Nationalismus. *Ferdinand Lion.* Neue Rundschau. Aug., 1923.

———. The rise of the spirit of French imperialism. *G. Chatterton-Hill.* Contemp. Rev. Aug., 1923.

Germany. Germany revisited. *A. D. McLaren.* Contemp. Rev. June, 1923.

———. Five years of democracy in Germany. *Thomas Mann.* Current Hist. July, 1923.

———. The German problem. *John Leyland.* German financial chaos. *Robert Crozier Long.* Fort. Rev. July, Sept., 1923.

———. L'Allemagne d'hier.—Le premier craquement de l'empire (1917). *Gabriel Hanotaux.* Rev. Deux Mondes. Aug. 1, 1923.

———. Germany's new labor legislation. *Emil Frankel.* Annals Am. Acad. Sept., 1923.

Great Britain. Economic Policy. Mr. Chamberlain's housing bill. *Christopher Addison.* The financial situation and capital levy. *Sir Alfred Mond.* The food marking bill. *W. M. R. Pringle.* The regulation of wages. *Sir Hugh Bell.* Contemp. Rev. June, July, Sept., 1923.

———. Housing. *Sir Arthur Griffith Boscawen.* Quar. Rev. July, 1923.

———. England's gigantic tax burden. *J. Ellis Barker.* Current Hist. Aug., 1923.

———. **Government.** Reform of the house of lords and the government resolutions of 1922. *H. B. Lees-Smith.* Economica. June, 1923.

———. The judicial committee of the privy council. *Viscount Haldane.* Empire Rev. July, 1923.

———. Cabinet-making and temple-building. *J. A. R. Marriott.* A lusus parliamenti—Dublin university representation, 1801–1922. *J. G. Swift MacNeill.* Fort. Rev. July, Sept., 1923.

———. Development of the British constitution in the last fifty years. *Earl of Birkenhead.* Am. Bar Assoc. Jour. Sept., 1923.

———. **Politics.** Labor's rise to power in Great Britain. *Sidney Webb.* Current Hist. July, 1923.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Great Britain. Politics. Personalities and politics. *W. Permewan.* Nine months of conservatism. *Curio.* The prime minister's position. *W. Permewan.* Fort. Rev. July, Aug., Sept., 1923.

———. The European aspects of Britain's cabinet changes. *Frank H. Simonds.* British parties and politics. *P. W. Wilson.* Rev. of Revs. July.

———. What the workmen are thinking. *Father J. B. McLaughlin.* The tragi-comedy of liberal reunion. *Stuart Hodgson.* Nine. Cent. July.

———. The session. *W. M. R. Pringle.* Contemp. Rev. Aug., 1923.

———. The new prime minister. *Ian D. Colvin.* The British cabinet and its implications. *E. T. Raymond.* His Majesty's opposition. *E. T. Raymond.* Atlan. M. Aug., Sept., 1923.

Hungary. Hungary since the armistice. *Count László Széchényi.* No. Am. Rev. July, 1923.

India. Sur un nationalisme indien. *Thérèse Lavauden.* Mercure de France. May 15, 1923.

———. The Ghandi movement in India. *W. H. Roberts.* Pol. Sci. Quar. June, 1923.

———. Some recent literature on finance and politics in India. *Mrs. V. Anstey.* Economica. June, 1923.

———. India's new policy—protection. *Sir Montagu de P. Webb.* The grave problem of India today. *Sir Patrick Fagan.* Nine. Cent. July, Sept.

———. New India and temperance reform. *Rev. H. Crawford Walters.* The Sikh problem in the Punjab (1920–1923). *Sir John Maynard.* Contemp. Rev. Aug., Sept., 1923.

Ireland. Ireland as it is. Round Table. June, 1923.

———. A great Irish official. *Stephen Gwynn.* The re-shaping of Ireland. *H. A. Law.* Contemp. Rev. June, Sept., 1923.

———. The new dominion. *Alexander Brady.* Canadian Hist. Rev. Sept.

———. Significance of the Irish Free State. *W. P. M. Kennedy.* No. Am. Rev. Sept., 1923.

Italy. L'expérience italienne. I. II. III. IV. *Maurice Pernot.* Rev. Deux. Mondes. May 1, 15, June 15, Aug. 1, 1923.

———. Mussolini acquitted of despotism. *A. L. Frothingham.* Current Hist. July, 1923.

———. Six months of fascist government. *James Murphy.* Fort. Rev. Aug., 1923.

———. Nine months of fascismo. *William Miller.* Contemp. Rev. Aug.

Japan. Japan under Premier Kato's liberal regime. *Gardner L. Harding.* Current Hist. July, 1923.

———. Cross-currents in Japan. *Marguerite E. Harrison.* Atlan. M. July.

Jugoslavia. Jugoslavia today. *Hamilton Fish Armstrong.* Foreign Affairs. June, 1923.

———. Jugoslavien nach den Wahlen. *Alfred Rappaport.* Österreich. Rundschau. July, 1923.

———. La convulsion politique Yougo-Slave. *Jika Rankovitch.* Rev. Mondiale. July 1, 1923.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Kenya. Kenya. Round Table. June, 1923.

———. The Christian church and the colour bar. *John H. Harris.* Two African policies. *E. D. Morel.* Contemp. Rev. June, Sept., 1923.

———. The "Indian Question" in Kenya. *O. Watkins.* Fort. Rev. July.

———. The Kenya decision. *F. G. Stone.* Nine. Cent. Sept., 1923.

———. Britain's imperial problem in Kenya colony. *Llewelyn Powys.* Current Hist. Sept., 1923.

Latin America. Democracy in Hispanic America. *Mary Wilhelmine Williams.* No. Am. Rev. Sept., 1923

Latvia. The constitution of Latvia. *James K. Pollock, Jr.* Am. Pol. Sci. Rev. Aug., 1923.

Legislation. Review of legislation, 1921. *Sir Lynden Macassey, Cecil T. Carr, and others.* Jour. Comp. Legis. and Inter. Law. Aug., 1923.

Lithuania. La Lithuanie. *S. F. Lop.* Rev. Mondiale. Sept. 1, 1923.

Peru. The reign of terror in Peru. *Carlos Concha.* Current Hist. July, 1923.

Poland. Józef Pilsudski, aristocrat-revolutionary. *Ralph Butler.* Atlan. M. Aug., 1923.

———. The menace of new Poland. *Th. A. Raiski.* Current Hist. Aug.

Rumania. Grossrumänien. *Wilhelm Gülich.* Österreich. Rundschau. June.

———. The new constitution of Rumania (complete text). Current Hist. Sept., 1923.

Russia. Les finances de la république des soviets. *A. Michelson.* La chute de la monarchie en Russie. *P. P. Gronsky.* Rev. Pol. et Parl. May, July.

———. Can Russia "come back?" *Lincoln Hutchinson.* Pol. Sci. Quar. June, 1923.

———. La famine de 1922 et les conditions économiques actuelles de la Russie. *Pacificus.* Souvenirs d'une socialiste russe (*I^re^* partie). *Tatiana Alexinsky.* La Grande Rev. June, Aug., 1923.

———. The bolshevist inferno. *Capt. E. C. Cox.* Nine. Cent. July, 1923.

———. Soviet Russia's grim battle against religion. *Louis Fischer.* Current Hist. July, 1923.

———. Russia—1923. *Fridtjof Nansen.* New Repub. July 4, 18; Sept. 5.

———. Y a-t-il une évolution du bolchevisme? *C^te^ Kokovtzoff.* Rev. Deux Mondes. July 15, 1923.

———. Russian post-revolutionary nationalism. *Prince Mirsky.* Contemp. Rev. Aug., 1923.

Siberia. Le bolchévisme en Sibérie. *L. H. Grondijs.* Mercure de France. July 15, 1923.

Spain. La situation et les problèmes de l'Espagne. *Salvador Canals.* Le Correspondant. May 25, 1923.

Switzerland. Democracy *vs.* demagogy: the Swiss referendum and confiscatory taxation. I. II. *W. E. Rappard.* Pol. Sci. Quar. June, Sept., 1923.

———. Swiss initiative vote of December 3, 1922. *Robert C. Brooks.* Am. Pol. Sci. Rev. Aug., 1923.

Turkey. New Turkey. *Ben Kendim.* Edin. Rev. July, 1923.

———. Will the anchor hold? *William T. Ellis.* Rev. of Revs. Sept.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

INTERNATIONAL RELATIONS

Books

Ashmead-Bartlett, Ellis. The tragedy of central Europe. Pp. 320. London, Butterworth.

Asquith, Herbert Henry. The genesis of the war. N. Y., Doran.

Carrasco, José. La Bolivie devant la société des nations. Pp. 207. Paris, Berger-Levrault. 1921.

Chamberlain, J. P. The regime of the international rivers: Danube and Rhine. Pp. 317. N. Y., Longmans.

Comité National d'Études Sociales et Politiques. La crise actuelle des relations franco-allemandes. Pp. 34. Paris.

———. La question de la Ruhr. Pp. 38. Paris.

Curtis, Lionel. A British outlook on international problems. (Institute of Politics Publication.) New Haven, Yale Univ. Press.

Enock, Arthur Guy. Problem of armaments. Pp. xii + 199. London, Macmillan.

Garner, James W. La reconstruction du droit international. Paris, Pedone.

Garrignon-Lagrange, André. Le problème des réparations. La technique des règlements. Paris, Vie Universitaire.

Gibbons, Herbert Adams. Europe since 1918. N. Y., Century Co.

Hatschek, J., und *Strupp, K.* Wörterbuch des Völkerrechts und der Diplomatie. Berlin, Verleger. 1922.

Hughan, Jessie Wallace. A study of international government. N. Y., Crowell.

Kelsey, Carl, ed. America's relation to the European situation. Pp. v + 223. Ann. Am. Acad. July, 1923.

Kerr, Philip Henry. The prevention of war. (Institute of Politics Publication.) New Haven, Yale Univ. Press.

Lefebure, V. The riddle of the Rhine. Pp. 282. N. Y., Dutton.

Levermore, Charles H., ed. Third year book of the league of nations; for the year 1922. Pp. 434. N. Y., Brooklyn Daily Eagle.

Machado y Ortega, Luis. La enmienda Platt. Pp. 150. Habana, Imp. "El Siglo XX."

Morris, Ira Nelson. From an American legation. N. Y., Knopf.

Moulton, H. G., and *McGuire, C. E.* Germany's capacity to pay. (Institute of Economics Series.) Pp. 384. N. Y., McGraw-Hill Book Co.

Munch, P., ed. Les origines et l'œuvre de la société des nations. Tome I. Copenhagen, Gyldendal.

Nippold, Otfried. The development of international law after the world war. Translated from the German by Amos S. Hershey. (Carnegie Endowment for International Peace.) Pp. xv + 241. N. Y., Oxford Univ. Press.

Oeconomos, L. The martyrdom of Smyrna and eastern Christendom. Pp. 237. London, Allen & Unwin.

Official German documents relating to the world war. 2 vols. Pp. xiii + 684; xi + 685–1360. N. Y., Oxford Univ. Press.

Osborne, Sidney. The Saar question: a disease spot in Europe. Pp. 384. London, Allen & Unwin.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Planas-Suaréz, Simón. La sociedad de las naciones y la conferencia de Barcelona. Lisbonne.

Priou, Jean. Le territoire de la Sarre. Études politiques et économiques. Paris, Berger-Levrault.

Robertson, William Spence. Hispanic-American relations with the United States. (Carnegie Endowment for International Peace.) Pp. 470. N. Y., Oxford Univ. Press.

Rousseau, Jean. La haute commission interalliée des territoires rhénans. Pp. 238. Mayence, Walter.

Schücking, Walter, ed. Kommentar zum Friedens-Vertrage. 5 vols. Berlin, Engelmann.

Scott, James Brown, ed. Prize cases decided in the United States supreme court, 1789–1918. (Carnegie Endowment for International Peace.) 3 vols. Pp. xxxii + 657; vii + 659–1411; vi + 1413–2181. N. Y., Oxford Univ. Press.

Schwertfeger, Bernhard, ed. Unveröffentlichte Dokumente zur Europäischen Politik 1897–1914. 5 vols. N. Y., W. Beyer.

Tillett, Ben, Jones, A. Creech, and *Warren, Samuel.* The Ruhr. (Report of Deputation from the Transport and General Workers' Union.) Pp. 64. London, Labour Pub. Co.

Vabre, Albert. Le droit international du travail. Paris, Giard.

Van der Mandere, H. Ch. G. J. Het permanente hof van internationale justitie te 'S- Gravenhage. Pp. 328. Leiden, Sijthoff. 1922.

Yen, En Tsung. The open door policy. Pp. 191. Boston, Stratford Co.

Articles

Aerial Warfare. Conférence de la Haye.—Le code de la guerre aérienne. * * * Rev. Deux Mondes. Sept. 1, 1923.

American Foreign Policy. The running sands. *Edward M. House.* The American farmer and foreign policy. *Arthur Capper.* Foreign affairs. June.

———. "Trenton, New Jersey, and Paris, France." *Alfred L. P. Dennis.* No. Am. Rev. July, 1923.

———. President Harding and the European crisis. *S. K. Ratcliffe.* President Coolidge and his task. *S. K. Ratcliffe.* Contemp. Rev. July, Sept., 1923.

———. Uncle Sam in Cuba and the Philippines. *Sylvester Baxter.* Rev. of Revs. Aug., 1923.

———. American withdrawal from Europe. *Herbert Croly.* New Repub. Sept. 12, 1923.

Arbitration. De l'influence de la notion de justice et d'équité sur l'application du traité de paix par les tribunaux arbitraux mixtes. *Ch. Yotis.* Jour. Droit Inter. Mar.–Apr., 1923.

Austria. Austria's relations with Germany and Italy. *Sigmund Münz.* Foreign Affairs. June, 1923.

Balkans. La crise balkanique. *L. Némanoff.* Mercure de France. July 1, 1923.

Belgium. Belgium and the entente. *Emile Cammaerts.* Edin. Rev. July.

———. The Belgian factor. *Wickham Steed.* No. Am. Rev. July, 1923.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Boundary Disputes. The early choice of the forty-ninth parallel as a boundary line. *Charles O. Paullin.* Canadian Hist. Rev. June, 1923.

British Foreign Policy. Great Britain's foreign policy today. *E. D. Morel.* Current Hist. Aug., 1923.

Chester Concession. Le projet Chester et les concessions françaises en Anatolie. *XXX.* Rev. Pol. et Parl. May, 1923.

Coal. The coal question. *Walter S. Tower.* Foreign Affairs. Sept., 1923.

Concordat. Le concordat de 1801. I. Premiers pourparlers. II. Negociations et crise. *Pierre de la George.* Rev. Deux Mondes. Aug. 1, Sept. 1, 1923.

Contraband. Restraints on naval power. *L. Cope Cornford.* Edin. Rev. July, 1923.

———. Sea power and economic pressure in war. *Navarino.* Fort. Rev. Sept., 1923.

Cuba. Los últimos años de la dominación española de Cuba. *Gabriel Maura y Gamazo.* Rev. Bimestre Cubana. Mar.–Apr., May–June, 1923.

———. Interamerican coöperation. *Cosme de la Torriente.* Inter-America. Aug., 1923.

Danube. The international organization of the Danube under the peace treaties. *Gordon E. Sherman.* Am. Jour. Inter. Law. July, 1923.

Danzig. Von der Freistadt Danzig. *Friedrich Wlatnig.* Österreich. Rundschau. July, 1923.

Diplomacy. Mon ambassade en Russie. I. II. III. *Sir George Buchanan.* Rev. de Paris. July 1, 15, Aug. 1, 1923.

Disarmament. Can the empire be made safe? *Archibald Hurd.* Fort. Rev. July, 1923.

———. Japan and the naval treaty. *K. K. Kawakami.* Rev. of Revs. July, 1923.

Egypt. La situation internationale de l'Egypte (2e partie). *Robert Ruze.* Rev. Droit Inter. et Légis. Comp. No. 1, 1923.

———. Contes de l'Égypte anglaise. *Gilbert Parker.* Rev. de Paris. Aug. 1, 1923.

Enemy Property. Confiscation of enemy private property. *Edward A. Harriman.* Boston Univ. Law Rev. June, 1923.

———. The confiscation myth. *William Campbell Armstrong.* Am. Bar Assoc. Jour. Aug., 1923.

Entente. Britain, France, and world politics. Anglo-French deadlock. *Frank H. Simonds.* Rev. of Revs. Aug., Sept., 1923.

———. Anglo-French relations. *Earl Beauchamp.* Contemp. Rev. Sept.

———. La crise internationale. *Maurice Alfassa.* Nouvelle Rev. Sept. 1.

European Reconstruction. Equilibrio europeo. *Francesco Coppola.* Politica. Jan.–Feb., 1923.

———. The problem of east-central Europe. Round Table. June, 1923.

———. Europa, Reich über den Reichen. *Heinrich Mann.* Neue Rundschau. July, 1923.

——— European confusion and its consequences. *J. Ellis Barker.* Fort. Rev. Aug., 1923.

Extraterritoriality. Extra-territorial legislation. *Herbert A. Smith.* Canadian Bar Rev. Apr., 1923.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Extraterritoriality. Les capitulations. *R. Vadala.* Rev. Mondiale. May 1, 1923.

———. The capitulations. *Philip Marshall Brown.* Foreign Affairs. June, 1923.

———. L'agonie des capitulations. *Achille Mestre.* Rev. de Paris. July 1, 1923.

———. L'étranger en Turquie d'après le traité de Lausanne. *Achille Mestre.* Rev. Pol. et Parl. Aug., 1923.

Far East. The situation in the far east. *B.* Foreign Affairs. June, 1923.

———. American policy in the far east. *Tyler Dennett.* Current Hist. July, 1923.

———. An outline of international policy in the far east. *F. W. Crosse.* Contemp. Rev. July, 1923.

———. Der ferne Osten. *Heinrich Schnee.* Deutsche Rundschau. Aug.

———. Japan and natural resources in Asia. *W. W. Willoughby.* No. Am. Rev. Aug., 1923.

Gadsden Treaty. The negotiation of the Gadsden treaty. *J. Fred Rippy.* Southwestern Hist. Quar. July, 1923.

Galicia. Le problème de la Galicie orientale.—Son aspect international. *Edward Woroniecki.* La Grande Rev. Aug., 1923.

German Diplomacy. New light on German diplomacy. *A. Mendelssohn-Bartholdy.* Current Hist. Aug., 1923.

Institute of International Law. La session de Grenoble de l'institut de droit international. *Ch. de Visscher.* Rev. Droit Inter. et Légis. Comp. No. 1, 1923.

International Court of Justice. The permanent court of international justice. *Edwin M. Borchard.* No. Am. Rev. July, 1923.

———. The United States and the permanent court of international justice. *Eugène Borel.* The United States and the permanent court of international justice. *George A. Finch.* Am. Jour. Inter. Law. July, 1923.

———. L'Amérique et la cour permanente de justice internationale. *Hans Wehberg.* La question de la Carélie orientale, soumise pour avis à la cour permanente de justice internationale. *R. Erich.* Les leçons du quatrième avis consultatif de la cour permanente de justice internationale. *Paul de Vineuil.* Rev. Droit Inter. et Légis. Comp. No. 2–3, 1923.

International Labor Organization. Le bureau international du travail. *Louis Rochard.* Nouvelle Rev. June 15, July 1, 1923.

International Law. Essai de systématique du droit international (plan d'un cours de droit international public). *G. Scelle.* Rev. Gén. Droit Inter. Pub. Jan.–Apr., 1923.

———. International traffic law: its forms and requirements. *Ernst Hollander.* Am. Jour. Inter. Law. July, 1923.

———. The teaching of international law. *Edwin D. Dickinson.* Am. Pol. Sci. Rev. Aug., 1923.

International Organization. International organization: its prospects and limitations. *Alfred E. Zimmern.* Atlan. M. Sept., 1923.

———. La condition juridique des associations internationales. *N. Politis.* Jour. Droit Inter. May–July, 1923.

International Political Science. Political science in the international field. *Pitman B. Potter.* International politics and history. *Henry R. Spencer.* Am. Pol. Sci. Rev. Aug., 1923.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

International Rivers. Les actes du Danube et de l'Elbe. *Jean Hostie.* Rev. Droit Inter. et Légis. Comp. No. 2–3, 1923.

———. Les tribunaux pour la navigation du Rhin et le pouvoir judiciaire de la commission centrale du Rhin. *J. P. Niboyet.* Rev. Gén. Droit Inter. Pub. Jan.–Apr., 1923.

Lansing-Ishii Agreement. The cancellation of the Lansing-Ishii agreement. *James Brown Scott.* Am. Jour. Inter. Law. July, 1923.

League of Nations. La société des nations et les puissances devant le problème arménien. *A. Mandelstam.* Rev. Gén. Droit Inter. Pub. Nov.–Dec., 1922.

———. La procédure de conciliation devant la société des nations. *Charles de Visscher.* Rev. Droit Inter. et Légis. Comp. No. 1, 1923.

———. La société des nations par la liberté, l'egalité, la fraternité. *Lord Robert Cecil.* La Grande Rev. May, 1923.

———. Die nationalen Minoritäten und der Völkerbund. *Josef L. Kunz.* Österreich. Rundschau. July, 1923.

———. The opium convention and the league of nations. *Sir W. J. Collins.* The league of nations and the international movement. *D. Borden-Turner.* Contemp. Rev. July, Sept., 1923.

———. Folkenes Forbund. *Harald Scavenius.* Gads Danske Mag. Sept.

———. Le forçat Gargaz et la société des nations. *A. Aulard.* Rev. de Paris. Sept. 1, 1923.

Maritime Law. L'unification du droit maritime. *Georges Ripert.* Jour. Droit Inter. Mar.–Apr., 1923.

Mediterranean. Italy in the Mediterranean. *Francesco Coppola.* Foreign Affairs. June, 1923.

———. Tangier, Morocco and the straits of Gibraltar. *J. de V. Loder.* Fort. Rev. Aug., 1923.

Memel. L'affaire de Memel. La décision de la conférence des ambassadeurs du 16 février 1923. *J. Blociszewski.* Rev. Gén. Droit Inter. Pub. Jan.–Apr.

Monroe Doctrine. Evolution of the Monroe doctrine. *Carl Holliday.* Current Hist. July, 1923.

———. Observations on the Monroe doctrine. *Charles Evans Hughes.* Am. Bar Assoc. Jour. Sept., 1923.

Morocco. Les origines du protectorat français au Maroc. *Joseph Chailley.* Rev. Pol. et Parl. May, 1923.

———. Un nouvel aspect de notre politique au Maroc. ***. Le Maroc d'aujourd'hui. *Louis Vignon.* Le Correspondant. May 25, Sept. 10, 1923.

Mosul. Mossul. *Amedeo Ponzone.* Politica. Jan.–Feb., 1923.

Near East. Angora and the British empire in the east. *Arnold J. Tonybee.* Contemp. Rev. June, 1923.

———. The return of the Turk. *Albert Howe Lybyer.* Forum. June, 1923.

———. The truth about near east atrocities. *Arnold J. Tonybee.* Current Hist. July, 1923.

———. Lausanne and its accessories. *H. Charles Woods.* The new Turkey. *H. Charles Woods.* Fort. Rev. July, Sept., 1923.

———. The east after Lausanne. *Arnold J. Tonybee.* Foreign Affairs. Sept., 1923.

———. A propos du traité de Lausanne. Les conceptions d'Ismet Pacha. * * *. Le Correspondant. Sept. 10, 1923.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Palestine. France et Palestine. La genèse de l'abandon de nos droits. *C^te R. de Gontaut-Biron.* Le Correspondant. July 25, 1923.

———. The first census in Palestine. *J. B. Barron.* Nine. Cent. July.

Pan-Americanism. The Pan-American policy of the Harding administration. *Graham H. Stuart.* Southwestern Pol. and Soc. Sci. Quar. June, 1923.

———. The fifth international conference of American states. *James Brown Scott.* Am. Jour. Inter. Law. July, 1923.

———. Panaméricanisme et panlatinisme américain. *J. Correador la Torre.* Rev. Mondiale. Aug. 1, 1923.

———. Pan-American unity in the making. *S. G. Inman.* Current Hist. Sept., 1923.

Peace Conference. Præsident Wilson og Fredskonferencen. *P. Munch.* Tilskueren. Aug., 1923.

Plebiscite. Les conventions relatives à l'option comme conséquences du traité de Versailles. *P. Van Werveke.* Rev. Droit Inter. et Légis Comp. No. 1, 1923.

Poland. Poland and the peace. *J. H. Harley.* Fort. Rev. July, 1923.

———. Lithuania and Poland. *Robert H. Lord.* Foreign Affairs. June.

Recognition. Les gouvernements ou états non reconnus en droit anglais et américain. *Edwin D. Dickinson.* Rev. Droit Inter. et Légis Comp. No. 2–3.

Reparations. Comment l'Allemagne rend les réparations impossibles. *Edgar Brun.* Rev. Pol. et Parl. May, 1923.

———. A sidelight on reparations. Edin. Rev. July, 1923.

———. M. Raymond Poincaré. *Frederic Whyte.* Germany's capacity to pay. Quar. Rev. July, 1923.

———. A reparations plan. *John Maynard Keynes.* New Repub. Aug. 8.

———. L'Allemagne et les réparations. * * *. Le Correspondant. Aug. 10, Sept. 10, 1923.

———. A mischievous American presentation of the German reparations problem. *Arthur Richmond Marsh.* How Germany can pay: a critique of the recent book, "Germany's Capacity to Pay." *Benjamin M. Anderson, Jr.* Econ. World. Aug. 11, Sept. 8, 1923.

———. Poincaré: man and policy. *Sir Thomas Barclay.* No. Am. Rev. Sept., 1923.

———. The essentials of a reparations settlement. *Louis Loucheur.* Reparations and the policy of repudiation. *Alpha.* Foreign Affairs. Sept., 1923.

Rhine Occupation. The payment of the costs of the American army of occupation on the Rhine. *George A. Finch.* The Rhineland commission at work. *Robert E. Ireton.* Am. Jour. Inter. Law. July, 1923.

Ruhr. I Francesi nella Ruhr. *Leonardo Vitetti.* Politica. Jan.–Feb., 1923.

———. The world iron and steel situation in its bearing on the French occupation of the Ruhr. *C. K. Leith.* Foreign Affairs. June, 1923.

———. France and Germany. Round Table. June, 1923.

———. Les magnats de la Ruhr. I, II. *Gaston Cadoux.* Rev. Pol. et Parl. June, 1923.

———. Later phases of the Ruhr struggle. *John Bell.* Why the French hold out. *Hugh F. Spender.* Fort. Rev. July, Sept., 1923.

———. En Allemagne occupée. *Henri Lorin.* Rev. Deux Mondes. Aug. 15, 1923.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Russo-Japanese War. Les premières causes de l'effondrement de la Russie. Le conflit russo-japonais. Documents inédits et secrets. *A. M. de Besobrasow.* Le Correspondant. May 25, 1923.

Saar Valley. Le gouvernement de la Sarre. *Gaston Cadoux.* Rev. Pol. et Parl. May, 1923.

Scandinavian Policy. Scandinavian sympathies and destinies. *Georg Brandes.* Foreign Affairs. June, 1923.

Spitzbergen. Le Spitzberg et la convention du 9 février 1920. *C. Piccioni.* Rev. Gén. Droit Inter. Pub. Jan.–Apr., 1923.

Submarine. L'avenir du sous-marin. *J. P. A. François.* Rev. Gén. Droit Inter. Pub. Jan.-Apr., 1923.

Three Mile Limit. "The three-mile limit." *A Legal Correspondent.* (London Morning Post) Liv. Age. June 30, 1923.

———. Prohibition on the high seas. *Raymond G. Brown.* Law Quar. Rev. July, 1923.

———. The supreme court decision in the ship liquor cases. *Theodore S. Woolsey.* Am. Jour. Inter. Law. July, 1923

———. Marshall on the jurisdiction of the littoral sovereign over territorial waters. *J. Whitla Stinson.* Am. Law Rev. July–Aug., 1923.

———. Rum running and international law. *Frederic R. Coudert.* No. Am. Rev. Sept., 1923.

———. The three-mile limit. *Edward Samuel Corwin.* Forum. Sept., 1923.

War. 'The outlawry of war.' *Walter Lippmann.* Atlan. M. Aug., 1923.

World War. British war policy and the western front. *T. H. Thomas.* Unity of command among the central powers. *Hermann von Kuhl.* Foreign Affairs. June, Sept., 1923.

———. The memoirs of Conrad von Hotzendorf. *Theodor von Sosnosky.* Contemp. Rev. July, 1923.

———. The truth about the German submarine atrocities. *Rear-Admiral William S. Sims.* Fort Rev. July, 1923.

———. Aux États-Unis. Impressions et souvenirs de 1918. *Georges Dubarbier.* Nouvelle Rev. July 15, Aug. 1, 1923.

———. L'erreur des Dardanelles. *Simon Robert.* Rev. Pol. et Parl. Aug.

JURISPRUDENCE

Books

Birkenhead, Viscount. Points of view. 2 vols. London, Hodder & Stoughton.

Cohen, Herman. The origins of order and law. Pp. vi + 86. London, Effingham Wilson.

Creusel, John Hubbard. Origins of democracy; or, rise of the common law. Los Angeles, Times-Mirror Press.

Eaton, James W. Handbook of equity jurisprudence. Pp. xv + 711. St. Paul, West Pub. Co.

Hoffherr, René. Le boycottage devant les cours anglaises, 1901–1923. Pp. 180. Paris, Giard.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Oliphant, Herman, and *Moon, Parker T.*, eds. Law and justice. Pp. 229. Proc. Acad. Pol. Sci. July, 1923.

Robinson, Norman L. Christian justice. N. Y., Doran.

Shaw of Dunfermline, Lord. The law of the kinsmen. Pp. 178. London, Hodder & Stoughton.

Throckmorton, Archibald H. Illustrative cases on equity jurisprudence. Pp. x + 611. St Paul, West Pub. Co.

Various Authors. Rational basis of legal institutions. Pp. xxxii + 603. N. Y., Macmillan.

Vinogradoff, Sir Paul. Historical jurisprudence. Pp. 173. London, Milford.

Articles

Arbitration. La chambre de commerce internationale et l'arbitrage. *A. de Lavergne.* Bull. Mens. Légis. Comp. Apr.–June, 1923.

Authority. Authority of English decisions. *F. E. Hodgins.* Canadian Bar Rev. June, 1923.

———. Probative force of authoritative law works. *Borris M. Komar.* Boston Univ. Law Rev. June, 1923.

Civil Procedure. The formative principles of civil procedure. II. *Robert W. Millar.* Ill. Law Rev. June, 1923.

Common Law. The common law in a transitional era. *E. F. Albertsworth.* Am. Bar Assoc. Jour. Aug., 1923.

Conflict of Laws. La consolidation et l'extension de l'oeuvre des conférences de La Haye pour la codification du droit international privé. *Josephus Jitta.* La double conception du droit international et la caractère international du droit dit international privé (1re partie). *Nils Soderquist.* Les qualifications légales en droit international privé. *P. Arminjon.* Rev. Droit Inter. et Légis. Comp. Nos. 1, 2–3, 1923.

English Law. The new "Holdsworth." *Editor.* Law Quar. Rev. July, 1923.

Equity. Equity procedure and practice in Massachusetts (*continued*). *Henry E. Bellew.* Boston Univ. Law Rev. June, 1923.

Ethics. Ethics and law. *Gregory Hankin.* Inter. Jour. Ethics. July, 1923.

———. Final report and proposed canons of judicial ethics. *Committee on Judicial Ethics.* Am. Bar Assoc. Jour. July, 1923.

Greek Law. Greek law and modern jurisprudence. *George Miller Calhoun.* Calif. Law Rev. July, 1923.

Hindu Law. The place of Hindu law in comparative jurisprudence. *S. G. Vesey-FitzGerald.* Law Quar. Rev. July, 1923.

Judicial Decision. The theory of judicial decision. III. A theory of judicial decision for today. *Roscoe Pound.* Harvard Law Rev. June, 1923.

Legal Rights. Subjektive Rechte. *Karl Friedrichs.* Annalen Deutschen Reichs. No. 3/4, 1921/22.

———. Rights of status in modern law. *Sir Paul Vinogradoff.* Canadian Bar Rev. June, 1923.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Roman Law. Place of Roman law in legal education. *Robert Warden Lee.* Canadian Bar Rev. Feb., 1923.

———. The Roman elements in Bracton's treatise. *Sir Paul Vinogradoff.* Yale Law Jour. June, 1923.

Russian Law. The civil code of soviet Russia. *Jacob Kantorovitch.* Yale Law Jour. June, 1923.

LOCAL GOVERNMENT

Books

Beman, Lamar T., comp. Selected articles on current problems in municipal government. Pp. 555. N. Y., H. W. Wilson Co.

Besson, Frank S. City pavements. Pp. 223. N. Y., Macmillan.

Henderson, W. P. M., and *Pay, Francis G.*, eds. Official South African municipal year book, 1923. Pp. xxviii + 453. London, E. G. Allen & Son.

Hessell, J. F. The destiny of the American city. Pp. 352. Champaign (Ill.), Mun. Problems Pub. Co.

Munro, William B. Municipal government and administration. 2 vols. Pp. 459; 517. N. Y., Macmillan.

Nichols, Charles M. Studies on building height limitations in large cities. Pp. 299. Chicago, Chicago Real Estate Board.

Peake, Harold. The English village: the origin and decay of its community: an anthropological interpretation. Pp. 251. London, Benn Bros.

Smith, H. Emerson. Municipal and local government law (England). Pp. 247. London, Pitman.

Thomson, Gladys Scott. Lords lieutenants in the sixteenth century. A study in Tudor local administration. London, Longmans.

Webb, Sir Aston, ed. London of the future. Pp. 286. N. Y., Dutton.

Articles

Chicago. Chicago's new mayor. *Mayo Fesler.* Nat. Mun. Rev. July, 1923.

City Charter. New charter proposals for Norwood, Massachusetts. *Frederick A. Cleveland and others.* Nat. Mun. Rev., Supp. July, 1923.

City-County Consolidation. The Butte-Silver Bow county consolidated charter. *A. R. Hatton.* Nat. Mun. Rev. June, 1923.

City Manager. The city-manager movement in Ontario. *W. J. Donald.* City manager and P. R. charter sustained in Boulder. *Walter J. Millard.* Nat. Mun. Rev. July, Sept., 1923.

Civil Service. Employment management in municipal civil service. *Special Committee on Civil Service, and others.* Nat. Mun. Rev. Aug., 1923.

Commission Plan. Des Moines after fifteen years' commission plan government. *H. W. Byers.* Nat. Mun. Rev. July, 1923.

English Local Government. The office of lord lieutenant. *J. W. Fortescue.* Edin. Rev. July, 1923.

Excess Condemnation. Why we need excess condemnation. *Lawson Purdy.* Nat. Mun. Rev. July, 1923.

Municipal Affairs. Notes on municipal affairs. *Thomas H. Reed.* Am. Pol. Sci. Rev. Aug., 1923.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Municipal Leagues. Leagues of municipalities. *Don C. Sowers.* Nat. Mun. Rev. July, 1923.

Paris. The origin and growth of Paris. *Lucien Gallois.* Geog. Rev. July, 1923.

Police. Getting and keeping good policemen. *Arch Mandel.* Nat. Mun. Rev. June, 1923.

Proportional Representation. Is P. R. constitutional? *E. L. Bennett.* Nat. Mun. Rev. June, 1923.

Rate Making. The supreme court and reproduction value in rate making. *John Bauer.* Nat. Mun. Rev. Sept., 1923.

Rural Justice. Rural justice in New York state. *Bruce Smith.* Jour. Crim. Law and Crim. Aug., 1923.

Street Railways. The twin cities and the holding company. *H. M. Olmsted.* Municipal ownership in Detroit. *Lent D. Upson.* Nat. Mun. Rev. July, Sept.

POLITICAL THEORY AND MISCELLANEOUS

Books

Abbott, Frank Frost. Roman politics. Boston, Marshall Jones.

Andreas, Willy. Geist und Staat. Pp. viii + 195. Berlin, R. Oldenbourg.

Benedict, B. The larger socialism. Pp. 243. N. Y., Macmillan.

Berry, Margaret K., and *Howe, Samuel B.* Actual democracy; the problems of America. Pp. x + 317. N. Y., Prentice-Hall.

Carman, Harry J., and *Graper, Elmer D.* Record of political events [from July 1, 1922, to June 30, 1923]. Pp. 128. Supp., Pol. Sci. Quar. Sept., 1923.

Cole, G. D. H. Trade unionism and munitions. Oxford, Clarendon Press.

Farbman, Michael. Bolshevism in retreat. London, Collins.

Finer, Herman. Representative government and a parliament of industry: a study of the German federal economic council. Pp. xii + 273. London, Allen & Unwin.

Ghoshal, U. A history of Hindu political theories. London, Oxford Univ. Press.

Hagedorn, Herman, comp. The Americanism of Theodore Roosevelt. Pp. 317. Boston, Houghton Mifflin.

Hamilton, Walton, and *May, Stacy.* The control of wages. N. Y., Doran.

Haynes, E. S. P. The enemies of liberty. London, Grant Richards.

Hearnshaw, F. J. C., ed. The social and political ideas of some great mediaeval thinkers. Pp. 223. London, Harrap.

Henry, Alice. Women and the labor movement. N. Y., Doran.

Holcombe, Arthur N. The foundations of the modern commonwealth. Pp. vii + 491. N. Y., Harper's.

Humphreys, John H. Practical aspects of electoral reform. A study of the general election, 1922. Pp. 103. London, King.

Josey, Charles Conant. Race and national solidarity. N. Y., Scribner's.

Lovestone, Jay. The government strikebreaker. Pp. 371. N. Y., Workers' Party of America.

Nobel, Alphons, ed. Handbuch des Staatsmanns. München, Wieland Verlag.

Robert, Henry M. Parliamentary law. Pp. 588. N. Y., Century Co.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Simkhovitch, Vladimir Gregorievich. Marxism versus socialism. Pp. 314. N. Y., Columbia Univ. Press.

Taylor, H. The conditions of national success. Pp. 351. Oxford, Blackwell.

Tillyard, Frank. The workers and the state. N. Y., Dutton.

Warbasse, James Peter. Co-operative democracy. Pp. xx + 493. N. Y., Macmillan.

Articles

American Political Leaders. William Jennings Bryan. A mind divided against itself. *Glenn Frank.* Century. Sept., 1923.

———. Thomas C. Platt—political manager. *Harold F. Gosnell.* Pol. Sci. Quar. Sept., 1923.

Coercion. Coercion and distribution in a supposedly non-coercive state. *Robert L. Hale.* Pol. Sci. Quar. Sept., 1923.

Communism. From Lycurgus to Lenine—experiments in communism. *Albert R. Bandini.* Catholic World. Aug., 1923.

Democracy. Democracy or what? *Victor S. Yarros.* Individualism and democracy. *A. B. Wolfe.* Inter. Jour. Ethics. July, 1923.

———. Democracy in American college government. *Henry Noble MacCracken.* Yale Rev. July, 1923.

———. Individual differences and democratic theory. *F. H. Hankins.* Pol. Sci. Quar. Sept., 1923.

Dictatorship. Lenin and Mussolini. *Harold J. Laski.* Foreign Affairs. Sept., 1923.

Equality. Roman concepts of equality. *Max Radin.* Pol. Sci. Quar. June, 1923.

Federalism. Federal characteristics of the Swiss and American unions. *Charles Borgeaud.* Const. Rev. July, 1923.

I. W. W. With the I. W. W. in the wheat lands. *D. D. Lescohier.* Harper's. Aug., 1923.

Liberty. Liberty—or license? *George Washington Williams.* Am. Law Rev. May–June, 1923.

Nationalism. Nationalism and internationalism. *Alfred E. Zimmern.* Foreign Affairs. June, 1923.

Propaganda. History as a means of propaganda. *F. J. C. Hearnshaw.* Fort. Rev. Aug., 1923.

Religious Thought. Sixteenth century religious thought. I. *R. H. Tawney.* Jour. Pol. Econ. Aug., 1923.

Retroactive Legislation. De l'exercice dans le temps du pouvoir législatif. *Gaston Jèze.* Rev. Droit Pub. et Sci. Pol. Apr.–June, 1923.

Revolution. The road away from revolution. *Woodrow Wilson.* Atlan. M. Aug., 1923.

Self-Determination. Le territoire national et la méthode plebiscitaire. *W. M. Kohzlowski.* Bull. Mens. Légis. Comp. Apr.–June, 1923.

Sovereignty. The problem of sovereignty. *Baron S. A. Korff.* Am. Pol. Sci. Rev. Aug., 1923.

Taxation. Taxation and changes in price levels. *Jacob Viner.* Jour. Pol. Econ. Aug., 1923.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Temporal Power. The pope's encyclical. *R. E. Gordon George.* Contemp. Rev. June, 1923.

Wilson. Wilsoniana. *Simeon Strunsky.* Foreign Affairs. Sept., 1923.

Woman Suffrage. Le congrès international de Rome pour le suffrage des femmes. *Marie-Louise Puech.* La Grande Rev. June, 1923.

GOVERNMENT PUBLICATIONS

MILES O. PRICE

Scientific Library, United States Patent Office

AMERICAN

UNITED STATES

Congress. Liquor laws. Washington: Gov. Prtg. Off., 1923, 60 p.

———. Statutes at large. . . 67th Congress, 1921–23. Vol 42, part 1: Public laws. Washington, 1923. 1563 + cccxxii p.

Immigration bureau. Immigration laws. Information relative to immigration laws and their enforcement in connection with admission of aliens. Washington: Gov. Prtg. Off., 1923. 6 p.

Panama canal.—Executive office. Treaties. Supplement 3 to Treaties and act of Congress relating to Panama canal. Balboa Heights, C. Z., 1923. 10 p.

President Harding. Addresses: on the international court of justice, at St. Louis, June 21; on the transportation problem, at Kansas City, Mo., June 22; on agriculture, at Hutchison, Kan., June 23; on law enforcement, at Denver, June 25; on taxation and expenditure, at Salt Lake City, June 26; on social justice, women and labor, at Helena, Mont., June 29; on the Oregon trail, at Meacham, Oreg., July, 3. Washington: Gov. Prtg. Off., 1923,

State department. Conference on Central American affairs, Washington, Dec. 4, 1922–Feb. 7, 1923. (Proceedings.) Washington: Gov. Prtg. Off., 1923. 403 p.

———. Constitution of the United States as amended to January 1, 1923, annotated. 67th Congress, 2d session; Senate Doc. 96 (vol. 3).

———. Declaration of Independence and Constitution of United States (with amendments 1–19). Washington: Gov. Prtg. Off., 1923. 55 p.

———. Haiti, American High Commissioner to. Report submitted to Secretary of State, Jan. 1, 1923. Washington: Gov. Prtg. Off., 1923. 25 p.

———. International conference on maritime law. Report of delegates of U. S. . . . . fifth session. Washington: Gov. Prtg. Off., 1923. 104 p.

———. Treaty between United States and Costa Rica, extradition, and exchange of notes concerning death penalty. (Treaty series 668.) Washington: Gov. Prtg. Off., 1923. 12 p.

———. Permanent court of international justice. Address by Charles E. Hughes. . . before American Society of International Law. Washington: Gov. Prtg. Off., 1923. 16 p.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Tariff Commission. Colonial tariff policies. 869 p. Washington, Gov. Prtg. Off.

———. Handbook of commercial treaties, digests of commercial treaties, conventions, and other agreements of commercial interest between all nations. Washington: Gov. Prtg. Off., 1923. 899 p.

World war foreign debt commission. Agreement made 1st day of May, 1923 . . . between Finland and United States (concerning funding of indebtedness to United States through issue of bonds to United States). Washington: Gov. Prtg. Off., 1923. 10 p.

———. Proposal, dated 18th day of June, 1923, by His Britannic Majesty's government. . .regarding funding of debt. . . Washington: Gov. Prtg. Off., 1923. 13 p.

Governors conference. Proceedings of the fourteenth conference of governors of the states of the union, held at White Sulphur Springs, W. Va., December 14–16, 1922. 178 p.

ALABAMA

Amendments to the constitution of Alabama (1901), annotated and proposed amendments rejected. Montgomery, 1923. 19 p.

CONNECTICUT

General assembly. General index to the private laws and special acts of the state of Connecticut. F. L. Perry, comp. State lib. Hartford. 266 p.

Secretary. Register and Manual, 1923. Hartford. 690 p.

ILLINOIS

General assembly. Legislative synopsis and digest, fifty-third General Assembly. . . nos. 1–20. Springfield, 1923.

Constitutional Convention, 1920-22. Journal of the committee of the whole. Secretary of State, Springfield. 227 p.

IOWA

University of Iowa. Political science, or the study of government. (Bulletin no. 255). Iowa City, 1923. 29 p.

KANSAS

Court of industrial relations. Selected opinions and orders. . . . Topeka, 1922. 90 p.

MAINE

Maine register, state year book and legislative manual, 1922-23 (No. 53). Portland Directory Co. 1251 p.

MARYLAND

Secretary of state. Maryland manual, 1922: a compendium of legal, historical and statistical information. . . .Annapolis. 386 p.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

MASSACHUSETTS

Secretary of the commonwealth. Cumulative index of the acts and resolves of Massachusetts, 1923. . . First section. Boston, 1923. 18 p.

MINNESOTA

Industrial Commission. Labor laws of Minnesota revised to include all legislation passed by the 1923 session of the state legislature. St. Paul. 207 p.

Legislature. 1923 official directory of the Legislature of the state of Minnesota, forty-third session. . . . . St. Paul. 1923. 133 p.

MISSOURI

Secretary of state. Official manual for 1921–22. Jefferson City. 909 p.

NEBRASKA

Secretary of state. Compiled statutes of the state of Nebraska, 1922. . . . . Stephens. 3420 p.

Legislative reference bureau. Nebraska blue book, 1922. Lincoln. 484 p.

———. Manual of Nebraska legislative procedure. . . . . 1923. Lincoln. 175 p.

NEW JERSEY

Dullard, J. P. comp. Manual of the legislature of New Jersey. . . . . 1923. J. A. Fitzgerald. Trenton. 664 p.

Governor. Veto messages of George S. Silzer, governor, to the 147th session of the New Jersey Legislature, 1923. Trenton, 1923. 79 p.

NEW YORK

Department of Labor. Labor law, with amendments, additions and annotations to August 1, 1923. Albany. 142 p.

Secretary of state. Manual for the use of the legislature. . . . . Lyon. 1092 p.

NORTH CAROLINA

Historical commission. North Carolina manual, 1923. Raleigh. 508 p.

Secretary of state. Captions of the acts and resolutions of the general assembly of N. C. . . . . 1923, with synopsis of their contents. Raleigh. 255 p.

OKLAHOMA

Secretary of state. Compiled statutes of Oklahoma, 1921. Ardmore. C. O. Bunn. 1584 p.

OREGON

Secretary of state. Constitutional amendments adopted and laws enacted by the people at the general election November 7, 1922. . . . . Salem, 1923. 600 p.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

PENNSYLVANIA

General assembly. History of house bills, with index, session 1923. Published weekly. Harrisburg, 1923.

———. History of senate bills, with index, session of 1923.

Smull's legislative handbook and manual of the state of Pennsylvania. Senate librarian. Harrisburg. 1483 p.

RHODE ISLAND

Department of education. Laws of Rhode Island relative to education; supplement XIV, articles of 1923. Providence, 1923. 12 p.

SOUTH CAROLINA

Board of public welfare. Social legislation in 1923. Columbia, 1923. 52 p. (In quarterly Bulletin, v. IV, no. 1.)

TENNESSEE

Index-digest to notes and annotations in Shannon's code of Tennessee issued in 1917 and 1918. Tenn. Law Bk. Pub. Co. 1230 p.

VERMONT

Secretary of state. Vermont legislative directory. . . . . 1923. State library. Montpelier. 570 p.

WASHINGTON

Remington's compiled statutes of Washington. 3 vols. Bancroft. 1922.

WEST VIRGINIA

West Virginia code. Fed. Pub. Co. 1923. 3131 p.

WISCONSIN

Secretary of state. Assembly manual. Madison. 331 p.

FOREIGN

AUSTRALIA

Australian legislative digest: summary of principal bills introduced into and acts passed by the commonwealth and state parliaments of Australia, during the year 1921, also summary of findings of royal commissions likely to lead to legislation. Gullick. Sydney. 63 p.

———. *Ibid.* 1922. 43 p.

Parliament. Report of Australian delegates to the League of Nations, third assembly. . . . . Melbourne. 13 June, 1923. 38 p.

New South Wales Parliament. Statutes . . . . 1922 . . . . alphabetical table of . . . . statutes, 1824–1922. John Spence. Sydney. 575 p.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Tasmania. House of assembly. Index to parliamentary papers of Tasmania from 1856 to 1921. Vail.

BOLIVIA

Camara de diputados. Proyecto de leyes, 1922–23. La Paz, 1923. 92 p.
Legislature. Anuario legislativo de 1922. La Paz, 1923. 45 p.

BRAZIL

Ministerio das relaçoes exteriores. Archivo diplomatico da independencia. Rio de Janeiro, 1922. 3 v.

CHILE

Oficina central de estadistica. Anuario estadistico. v. III: Politica y administracion, ano 1921. Santiago, 1923. 113 p.

COSTA RICA

Envoy to U. S. The case of Costa Rica in the matter of claims presented by His Britannic Majesty's government against the Republic of Costa Rica. Washington, 1923. 165 p.

CZECHO-SLOVAKIA

Vestnik ministerstva, Socialni pece. Socialni revue. v. 3, nos. 1–6. Prague, 1923.

ECUADOR

Ministerio de relaciones exteriores. Informe, Junio 1922–Junio 1923. Quito, 1923. 75 p.

FRANCE

Chambre des députés. Projet de loi . . . . du budget spécial pour l'exercice 1923 des dépenses recouvrables en exécution de traité de paix. Paris, 1923. 2 v.

———. Rapport fait au nom de la commission des affaires etrangères chargée d'examiner le projet de loi portant approbation du traité relatif á la limitation des armaments navals . . . . par M. Guernier. Paris. 1923. 50 p.

Ministère des affaires étrangères. Documents diplomatiques: Conférence de Lausanne, (21 Nov. 1922–1 Fev. 1923). Paris, 1923. 616 p. *Ibid.* 1 Fev. 1923–4 Fev. 1923). Paris. 1923. 129 p.

———. Demande de moratorium du gouvernement allemand à la commission des réparations (14 Nov. 1922). Conférence de Londres (9–11 Dec. 1922). Conférence de Paris (2–4 Jan. 1923). Paris. 1923. 199 p.

———. Conférence de Washington (Juil. 1921-Fev. 1922). Paris, 1923. 208 p.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

GREAT BRITAIN

British and foreign state papers, vol. 113, 1920. London, 1923. 1306 p.

Delegates to the International maritime conference, Brussels, 1922. Report. London: H. M. Stationery Off., 1923. 76 p.

Foreign office. Agreement between H. M. government and the French government, respecting the boundary line between Syria and Palestine from the Mediterranean to El Hamme. . . . . London: H. M. Stationery Off., 1923. 14 p., maps. (Cmd. 1910).

———. Despatch from H. M. Ambassador at Washington, enclosing a memorandum on the subject of the effects of prohibition in the United States. London: H. M. Stationery Off., 1923. 4 p. (Cmd. 1915).

———. Convention for the regulation of aerial navigation, Paris, October 1919 . . . . London: H. M. Stationery Off., 1923. 6 p. (Cmd. 1916).

———. Correspondence with the allied governments respecting reparation payments by Germany . . . . London: H. M. Stationery Off., 1923. 68 p. (Cmd. 1943).

———. Further correspondence between H. M. Government and Soviet government respecting relations of the two governments. London: H. M. Stationery Off., 1923. 14 p. (Cmd. 1890).

———. League of Nations: 25th session of the Council, report by Lord Robert Cecil . . . . London: H. M. Stationery Off., 1923. 12 p. (Cmd. 1921).

———. Treaty series, 1921. London, H. M. Stationery Off., 1921. 380 p.

Parliament. Memorandum on present and pre-war expenditures . . . . London: H. M. Stationery Off. 1923. 9 p. (Cmd. 1867).

——— Reply of Soviet government to H. M. Government respecting the relations between the two governments. London : H. M. Stationery Off., 1923. 8 p. (Cmd. 1874).

Reparation commission. IV. Statement of German obligations. . . . Dec. 31, 1922. London, 1923. 26 p.

———. VI. Official documents relative to the amount of payments to be effected by Germany under reparation account; second part. London, 1923. 40 p.

INDIA

Madras. Law department. List of acts and regulations in force in the Madras presidency, corrected up to 1st June, 1923. Madras. 54 p.

MEXICO

Ministerio de la governación. . . . . Boletin . . . . compilacion de leyes federales del distrito y territorios . . . . Mexico, 1922. v. 1, no. 1–7, June 1922–Dec. 1922. v. 2, no. 8–12. Jan. 1923–May 1923.

PORTUGAL

Ministerio de colonias. Historia militar e politica das Portuguese em Moçambique, de 1833 dos nossas dias; por José Justino Teixeira Botelho. Coimbra, 1921. 592 p.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

SOUTH AFRICA

Delimitation commission, fourth. Report. Capetown. 1923. 78 p.

Northern Rhodesia. Legal department. Alphabetical index of Northern Rhodesia orders in council, proclamations, government notices and negotiations, also numerical index of proclamations. Livingstone. 60 p.

SWITZERLAND

Conseil Fedéral Suisse. Sentence arbitrale du . . . . sur diverses questions de limites perdantes entre la Colombie et le Venezuela. Neuchatel. 1922. 149 p., pl.

URUGUAY

Ministerio de relaciones exteriores. Boletin. v. XI. Montevideo.

———. Coleccion de tratados, convenciones y otros pactos internacionales. . . . v. 1. (1830–1860). Montevideo, 1922. 520 p.

Registro nacional de leyes, decretos y otros documentos, 1922. Montevideo, 1923. 682 p.

VENEZUELA

Archivo nacional. Boletin. v. 1, no. 1, March 1923; v. 1, no. 2, June 1923. Caracas, 1923.

Ministro de relaciones exteriores. El libro amarillo. . . . . Caracas, 1923, 839+48 p.

INTERNATIONAL

LEAGUE OF NATIONS

Agenda of the fourth session of the assembly, and supplementary list of items. 10 Aug., 1923. 4 p.

Amendment to Article X of the Covenant. Proposed by the Canadian delegation to the third assembly. Geneva, July 16, 1923. 9 p.

Economic and financial commission. Report on double taxation. Geneva, April 5, 1923. 53 p.

Library. List of articles on political and social subjects in . . . . journals. no. 253, Aug. 9, 1923. 8 p., mimeographed. no. 255, Aug. 18, 1923. 8 p., mimeographed.

Memorandum on currency, 1913–1922. Geneva, 1923. 199 p.

Monthly summary. v. 3, Jan.–Aug. 1923.

Monthly bulletin of statistics. v. 4, Jan.–July, 1923.

Quarterly bulletin of information on work of international organizations. nos. 1–4. (no. 1, October, 1922).

Report to the fourth assembly of the League on work of the Council, ... Secretariat, and on the measures taken to execute the decisions of the assembly. Geneva, June 28, 1923. 96 p.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Third Assembly. Plenary meetings. vol. 1. Text of the debates. 396 p. vol. 2: Annexes: reports on the work of the council and reports adopted by the assembly. 231 p.; Meetings of the committees. 6 vols. Constitutional questions 112 p.; Technical reorganizations. 80 p.; Reduction of armaments. 163 p.; Budget and financial questions. 291 p.; Social and general questions, 168 p.; Political questions. 68 p. fol. Geneva 1922.

Treaty series. vols. 8–12. Geneva, 1922.

International labour office. Serbo-Croat-Slovene kingdom. Act: workers' insurance. Legislative series, 1923. Geneva, 1923. 70 p.

Permanent court of international justice. Acts and documents relating to judgments and advisory opinions. First ordinary session. June 15–Aug. 12, 1922. 616 p. Second (extraordinary) session. Jan. 8–Feb. 7, 1923. 319 p.

———. Acts and documents concerning the organization of the court. no. 2. 637 p.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

INDEX

Activities of the Colorado electorate, by R. C. Spencer 101
Administration, Democracy in, by Jennie McMullin Turner 216
Africa, book notice 342
Agricultural bloc, The, by Arthur Capper, rev. by James A. Woodburn 321
Alexander, De Alva Stanwood, Four Famous New Yorkers; Political careers of Cleveland, Platt, Hill and Roosevelt, rev. by Harold F. Gosnell 670
Allin, C. D., International status of the British dominions 612
American constitution; its origin and development, The law of the, by Charles K. Burdick, rev. by Arnold Bennett Hall 127
American foreign relations, The control of, by Quincy Wright, rev. by John Dickinson 123
Americans in eastern Asia, by Tyler Dennett, rev. by George H. Blakeslee 333
American influence on political thought in Czechoslovakia, by Vaclav Partl .. 448
American railroads: government control and reconstruction policies, by William J. Cunningham, rev. by Frank Haigh Dixon 325
Ames, Randolph G., rev. of Dunbar, "Monarchical" tendencies in the United States from 1776 to 1801 482
Anderson, William, rev. of Webb, English local government: statutory authorities for special purposes 487
Andrews, Arthur I., rev. of McBain and Rogers, The new constitutions of Europe 125
Annual Meeting, 1922 108
Argentine republic, The federal system of the, by L. S. Rowe, rev. by William Spence Robertson 134
Asia, book notices 142, 344, 505, 515, 692
Attenborough, F. L., The laws of the earliest English kings, rev. by W. E. Lunt 327
Australia, book notices 339, 344
Autocracy and revolution in Russia, by Baron Sergius A. Korff, rev. by Russell M. Story 495
Aylsworth, Leon E., The presidential ballot 89

Baker, Ray Stannard, Woodrow Wilson and world settlement, rev. by R. L. Buell 120
Ballot, The presidential, by Leon E. Aylsworth 89
Barnett, James D., No cabinet government in Oregon 263
Judicial council in Oregon 611
Bau, Mingchien Joshua, Open door doctrine in relation to China, rev. by G. Nye Steiger 662
Beard, Charles A., Cross currents in Europe today, rev. by Joseph V. Fuller .. 332
Berdahl, Clarence A., Books and periodicals ... 151–177, 354–377, 523–545, 697–719

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Berry, Burton Y., The influence of political platforms on legislation in Indiana, 1901–1921 51
Biographies, book notices 143, 147, 341, 511, 677, 686
Bishop, Joseph Bucklin, The life and public services of Charles Joseph Bonaparte, rev. by Richard H. Dana 323
Blake, Robert P., rev. of Bury, History of later Roman empire 658
Blakeslee, George H., rev. of Dennett, Americans in eastern Asia 333
Bonaparte, The life and public services of Charles Joseph, by Joseph Bucklin Bishop, rev. by Richard H. Dana 323
Bonus legislation and the referendum in Maryland, by Niels H. Debel 85
Book reviews, ed. by A. C. Hanford 477–522, 650–696
ed. by W. B. Munro 114–150, 313–350
Books and periodicals 151–177, 354–377, 523–545, 697–719
Boots, Ralph S., Governors' messages 231
Bowers, Claude G., Party battles of Jackson period, rev. by P. Orman Ray ... 668
Bradley, Phillips, rev. of Viallate, Economic imperialism and international relations during the last fifty years 500
Brawley, Benjamin, A social history of the American negro, rev. by Carter G. Woodson 137
Briefer notices 139–150, 337–353, 504–522, 677–696
British and continental labour policy, by B. G. De Montgomery, rev. by Paul H. Douglas 494
British dominions, International status of the, by C. D. Allin 612
British Empire, The development of the, by Howard Robinson, rev. by Adam Shortt 328
British foreign policy, The Cambridge history of, by Sir A. W. Ward and G. P. Gooch, rev. by W. L. Grant 122, 664
British overseas dominions, The fiscal and diplomatic freedom of, by Edward Porritt, rev. by Basil Williams 492
Brooks, Robert C., Swiss initiative vote of December 3, 1922 445
Brown, Philip Marshall, International society, rev. by C. G. Fenwick 498
Bruce, William Cabell, John Randolph of Roanoke, rev. by Bruce Williams .. 479
Buckle, George Earl, Life of Benjamin Disraeli, Earl of Beaconsfield, rev. by John A. Fairlie 328
Budgetary legislation in 1922, by Ruth Montgomery 82
Buell, R. L., book reviews 120, 496, 660
Recent articles in foreign periodicals. II. French 627
Burdick, Charles K., The law of the American constitution: its origin and development, rev. by Arnold Bennett Hall 127
Bureaus of political research, by R. T. Crane 296
Burgess, Kenneth F. and Homer B. Vanderblue, Railroads: rates, service, management, rev. by Frank Haigh Dixon 325
Bury, J. B., History of later Roman empire from death of Theodosius I to death of Justinian, rev. by Robert P. Blake 658

Caillaux, Joseph, Whither France? Whither Europe?, rev. by F. E. Willis 300
Cambridge history of British foreign policy, The, ed. by Sir. A. W. Ward and G. P. Gooch, rev. by W. L. Grant 122, 664

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Canada; an introduction to its development and law, The constitution of, by W. P. M. Kennedy, rev. by Carl Wittke 491
Capper, Arthur, The agricultural bloc, rev. by James A. Woodburn 321
Carpenter, Niles, Guild socialism: an historical and critical analysis, rev. by Rodney L. Mott 336
Cases on labor law, by Francis B. Sayre, rev. by John R. Commons 129
Catherine de Medicis, by Paul van Dyke, rev. by John Dickinson 674
Cecil, Lady Gwendolen, Life of Robert, Marquis of Salisbury, rev. by John A. Fairlie 328
Charters, city 146, 346, 421
Chase, E. P., rev. of Thomson, Lords lieutenants in the sixteenth century 672
China, The political system of imperial, by Harold Scott Quigley 551
Citizenship, book notices 144, 511, 689
City-county consolidation 347, 432
City manager plan 419
City planning 430
City planning and zoning, The law of, by Frank B. Williams, rev. by Flavel Shurtleff 486
Civil service, book notices 345
Colorado electorate, Activities of, by R. C. Spencer 101
Commons, John R., rev. of Sayre, Cases on labor law 129
Congress, book notices 337
Constitution of Latvia, The, by James K. Pollock, Jr 446
Constitutional amendments in Vermont, by Edmund C. Mower 72
Constitutional law and equity and other subjects, Essays on, by Henry Schofield, rev. by Robert Eugene Cushman 314
Constitutions of Europe, The new, by Howard Lee McBain and Lindsay Rogers, rev. by Arthur I. Andrews 125
Control of American foreign relations, The, by Quincy Wright, rev. by John Dickinson 123
County and township government in the United States, by Kirk H. Porter, rev. by A. C. Hanford 484
Crane, R. T., Bureaus of political research 296
Crawford, F. G., The New York state literacy test 260
Cross currents in Europe today, by Charles A. Beard, rev. by Joseph V. Fuller. 332
Curtis, Edward E., rev. of McCormac, James K. Polk, A political biography .. 132
Cunningham, William J., American railroads: government control and reconstruction policies, rev. by Frank Haigh Dixon 325
Cushman, Robert E., Judicial decisions on public law 434
rev. of Schofield, Essays 314
Czechoslovakia, American influence on political thought in, by Vaclav Partl.. 448

Dana, Richard H., rev. of Bishop, life of Charles Joseph Bonaparte 323
Debel, Niels H., Bonus legislation and the referendum in Maryland 85
Democracy in administration, by Jennie McMullin Turner 216
De Montgomery, B. G., British and continental labour policy, rev. by Paul H. Douglas 494
Dennett, Tyler, Americans in eastern Asia, rev. by George H. Blakeslee 333

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Detroit, Municipal street railway operation in, by C. E. Rightor..... 415
Development of the British empire, The, by H. Robinson, rev. by Adam Shortt. 330
Diaries and Memoirs, book notices..... 342, 510, 678
Dickinson, Edwin D., The teaching of international law to law students..... 464
Dickinson, John, rev. of Wright, The control of American foreign relations.. 123
rev. of Van Dyke, Catherine de Medicis..... 674
Dickinson, Thomas H., The United States and the league, rev. by Frances E. Willis..... 500
Diplomacy, book notices..... 504
Dixon, Roland B., Racial history of mankind, rev. by Frederick Starr..... 675
Disraeli, Earl of Beaconsfield, Life of, by George Earl Buckle, rev. by John A. Fairlie..... 328
Dixon, Frank Haigh, book review..... 325
Dodd, Walter F., Legislative notes and reviews.....70–97, 231–264, 597–611
rev. of Pound, Interpretations of Legal History..... 656
state government, rev. by Everett Kimball..... 325
Douglas, Paul H., rev. of De Montgomery, British and continental labour policy..... 494
Dunbar, Louise Burnham, a study of "monarchical" tendencies in the United States from 1776 to 1801, rev. by Randolph G. Ames..... 482
Dunn, Arthur Wallace, From Harrison to Harding, 1888–1920, rev. by James A. Woodburn..... 319
Dunning, William A., Liberty and equality in international relations..... 1

Economic imperialism and international relations during the last fifty years, by Achille Viallate, rev. by Phillips Bradley..... 500
Ellis, Ellen Deborah, Guild socialism and pluralism..... 584
English local government: statutory authorities for special purposes, by Sidney and Beatrice Webb, rev. by William Anderson..... 487
Essays on constitutional law and equity and other subjects, by Henry Schofield, rev. by Robert Eugene Cushman..... 314
Europe, book notices.....140, 343, 505
Growth of presidential government in, by Charles E. Martin 567
The new constitutions of, by McBain and Rogers, rev. by A. I. Andrews. 125

Fairlie, John A., Legislative and municipal reference agencies..... 303
book review..... 328
Federal subsidies to the states, by Austin F. Macdonald, rev. by Walter Thompson..... 652
Federal system of the Argentine republic, The, by L. S. Rowe, rev. by William Spence Robertson..... 134
Federalism in North America, by Herbert Arthur Smith, rev. by Quincy Wright..... 650
Fenwick, C. G., rev. of, Brown, International society..... 498
Finance, book notices..... 347, 508, 694
Fiscal and Administrative Reorganization in Pennsylvania, by Clyde L. King. 597
Fiscal and diplomatic freedom of the British overseas dominion, The, by Edward Porritt, rev. by Basil Williams..... 492

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Foreign governments and politics 445–452, 612-634
Forty years of diplomacy, by Baron R. R. Rosen, rev. by S. A. Korff 334
Foulke, William Dudley, A Hoosier autobiography, rev. by C. R. Woodruff... 131
Four Famous New Yorkers: Political careers of Cleveland, Platt, Hill and Roosevelt, by De Alva Stanwood Alexander, rev. by Harold F. Gosnell.. 670
From Harrison to Harding, 1888–1920, by Arthur Wallace Dunn, rev. by James A. Woodburn 319
Fujisawa, Rikitaro, Recent Aims and Political Development of Japan, rev. by R. L. Buell 660
Fuller, Joseph V., rev. of Beard, Cross currents in Europe today 332

Gammon, Samuel Rhea, Jr., Presidential campaign of 1832, rev. by P. O. Ray. 668
Gaus, John M., book reviews 135 502
Gettell, Raymond G., The nature of political thought 204
Gibbons, Herbert Adams, An introduction to world politics, rev. by Francis B. Sayre 117
Gillett, Frederick H.. rev. of Luce, Legislative procedure 127
Gooch, G. P. and Sir A. W. Ward, ed., The Cambridge history of British foreign policy, rev. by W. L. Grant 122, 664
Gosnell, Harold F., rev. of Alexander, Four Famous New Yorkers: Political careers of Cleveland, Platt, Hill and Roosevelt 670
Government publications 177, 378, 546, 719
Governors' messages, by Ralph S. Boots 231
Grant, W. L., rev. of Ward and Gooch, The Cambridge history of British foreign policy, 1783–1919 ..... 122, 664
Greece and Turkey, The western question in, by Arnold J. Toynbee, rev. by Raymond L. Buell 496
Griffin, Solomon Bulkley, People and politics, rev. by Samuel W. McCall.. 481
Growth of presidential government in Europe, by Charles E. Martin 567
Guild socialism and pluralism, by Ellen Deborah Ellis 584
Guild socialism: an historical and critical analysis, by Niles Carpenter, rev. by Rodney L. Mott 336

Hall, Arnold Bennett, rev. of Burdick, The law of the American constitution. 127
Hanford, A. C., ed. Book reviews, ... 477–522, 650–696
rev. of Porter, County and township government in the U. S. 484
Haring, C. H., rev. of Robertson, History of the Latin American nations..... 133
Havighurst, Harold C., Recent articles in foreign periodicals. III. German. 631
History of the Latin American nations, by William Spence Robertson, rev. by C. H. Haring 133
History of later Roman empire from death of Theodosius I to death of Justinian, by J. B. Bury, rev. by Robert P. Blake 658
Home rule 426
Hoosier autobiography, A, by William Dudley Foulke, rev. by Clinton Rogers Woodruff 131
Hoyt, Josephine, Per capita taxation in Michigan cities 429
Humphreys, Practical aspects of electoral reform, book notice 684
Hungary, book notices 514, 683

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Illinois, Centennial history of, book notice 145
Illinois rejects new constitution, by W. F. D. 70
Indexing statute law, by Gertrude Elstner Woodard 79
Influence of political platforms on legislation in Indiana, The, by Burton Y. Berry 51
Institute of Politics, by Bruce Williams 643
Round table conferences at first session, rev. by Quincy Wright 663
Immigrant, The soul of an, by Constantine M. Panunzio, rev. by John M. Gaus 135
International law, book notices 139, 507, 684
International politics and history, by Henry R. Spencer 392
International relations, Liberty and equality in, by William A. Dunning 1
International relations, State morality in, by Bruce Williams 17
International society, by Philip Marshall Brown, rev. by C. G. Fenwick 498
International status of the British dominions, by C. D. Allin 612
Interpretations of legal history, by Roscoe Pound, rev. by Walter F. Dodd ... 656
Introduction to the philosophy of law, An, by Roscoe Pound, rev. by Floyd R. Mechem 114
Introduction to the study of international organization, by Pitman B. Potter, rev. by Francis B. Sayre 117
Introduction to world politics, An, by Herbert Adams Gibbons, rev. by Francis B. Sayre 117
Italy, book notices 141, 343

Japan and the United States, by Payson J. Treat, rev. by Graham Taylor . 135
Jenkinson, Hilary, Manual of Archive Administration, rev. by David Parker . 673
Judicial councils, Notes on 608
Judicial decisions on public law, by Robert E. Cushman 434

Kalaw, Maximo M. and George A. Malcolm, Philippine Government, rev. by W. W. Willoughby 655
Kallen, Horace M., Political science as psychology 181
Kennedy, Albert J. and Robert A. Woods, The settlement horizon, rev. by John M. Gaus 135
Kennedy, W. P. M., The constitution of Canada, rev. by Carl Wittke 491
Kimball, Everett, rev. of Dodd, State government 324
King, Clyde L., Fiscal and administrative reorganization in Pennsylvania 597
Korff, Sergius A., Autocracy and revolution in Russia, rev. by R. M. Story. 495
rev. of Rosen, Forty years of diplomacy 334
The problem of sovereignty 404

Labor law, Cases on, by Francis B. Sayre, rev. by John R. Commons 129
Lane, Franklin K., Letters of, book notice 139
Latin-America, book notices 149
Latin American nations, History of the, by William Spence Robertson, rev. by C. H. Haring 133
Latvia, The constitution of, by James K. Pollock, Jr. 446
Law of the American constitution: its origin and development, The, by Charles K. Burdick, rev. by Arnold Bennett Hall 126

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Laws of the earliest English kings, by F. L. Attenborough, rev. by W. E. Lunt. 327
Laylin, Clarence D., Judicial council in Ohio 608
League of Nations, book notices 500, 506, 679
Legislative and municipal reference agencies, by John A. Fairlie 303
Legislative notes and reviews, edited by Walter F. Dodd. 70–96, 234–264, 597–611
Legislative procedure, by Robert Luce, rev. by Frederick H. Gillett 126
Liberty and equality in international relations, by William A. Dunning 1
Lingley, Charles R., rev. of Rhodes, The McKinley and Roosevelt Administrations and Straus, Under four administrations from Cleveland to Taft. 317
Literacy test, The New York State, by F. G. Crawford 260
Local government, reviews of books on 484, 487, 672
Lords lieutenants in the sixteenth century, by Gladys Scott Thomson, rev. by E. P. Chase 672
Lowell, A. Lawrence, Public opinion in war and peace, rev. by W. W. Willoughby 313
Luce, Robert, Legislative procedure, rev. by Frederick H. Gillett 126
Lunt, W. E., rev. of Attenborough, The laws of the earliest English kings 327

McBain, Howard Lee and Lindsay Rogers, The new constitutions of Europe, rev. by Arthur I. Andrews 125
McCall, Samuel W., rev. of Griffin, People and politics 482
McCormac, Eugene Irving, James K. Polk, A political biography, rev. by Edward E. Curtis 132
McKenzie, Roderick Duncan, The neighborhood: a study of local life in the city of Columbus, Ohio, rev. by John M. Gaus 502
McKinley and Roosevelt administrations, The, by James Ford Rhodes, rev. by Charles R. Lingley 317
Macdonald, Austin F., Federal subsidies to the states, rev. by Walter Thompson 652
Malcolm, George A. and Maximo M. Kalaw, Philippine government, rev. by W. W. Willoughby 655
Manual of archive administration, by Hilary Jenkinson, rev. by David Parker 673
Martin, Charles E., Growth of presidential government in Europe 567
Martin, Charles E. and W. H. George, Representative modern constitutions, rev. by Herbert F. Wright 659
Marvin, F. S., ed., Western races and the world, rev. by Raymond L. Buell. 496
Maryland, Bonus legislation and the referendum in, by Niels H. Debel 85
Mechem, Floyd R., book reviews 114, 655
Merriam, Charles E., Recent advances in political methods 275
University research and equipment 309
Michigan cities, Per capita taxation in, by Josephine Hoyt 429
Miliukov, Paul N., Russia today and tomorrow, rev. by Russell M. Story 494
"Monarchical" tendencies in the United States from 1776 to 1801, A study of, by Louise Burnham Dunbar, rev. by Randolph G. Ames 482
Montgomery, Ruth, Budgetary legislation in 1922 82
Mott, Rodney L., rev. of Carpenter, Guild socialism 336
Morse, Anson D., Parties and party leaders, rev. by James P. Richardson. 667

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Mower, Edmund C., Constitutional amendments in Vermont 72
Muir, Ramsay, Politics and progress, rev. by Guy Vaughn Price 665
Municipal affairs, Notes on, by Thomas H. Reid 415–453
Municipal finance 427
Municipal government, book notices 346, 516, 692
Municipal reference agencies, Legislative and, by John A. Fairlie 303
Munro, W. B., ed. Book reviews 114–150, 313–353

National government, The reorganization of the national government, by W. F. Willoughby, rev. by Lloyd M. Short 477
Nature of political thought, The, by Raymond G. Gettell 204
Nebraska, Reorganization of state government, book notice 146
Negro, A social history of the American, by Benjamin Brawley, rev. by Carter G. Woodson 137
Neighborhood in nation building, The, by Robert A. Woods, rev. by John M. Gaus 502
Neighborhood: a study of local life in the city of Columbus, Ohio, The, by Roderick Duncan McKenzie, rev. by John M. Gaus 502
New constitutions of Europe, The, by Howard Lee McBain and Lindsay Rogers, rev. by Arthur I. Andrews 125
New York charter commission, Report of the 421
New York state literacy test, The, by F. G. Crawford 260
News and notes, personal and miscellaneous ... 97–113, 265–273, 453–476, 635–649
North Carolina state reconstruction studies, book notice 345
Notes on municipal affairs, by Thomas H. Reed 415–433

Ogg, Frederic A., foreign governments and Politics 612
News and notes 97–113, 265–273, 635–649
Ohio: Judicial council in, by Clarence D. Laylin 608
Open door doctrine in relation to China, by Mingchien Joshua Bau, rev. by G. Nye Steiger 662
Open door policy, by En Tsung Yen, rev. by G. Nye Steiger 662
Oregon, No cabinet government in, by James D. Barnett 263
Judicial Council in, by James D. Barnett 611

Panunzio, Constantine M., The soul of an immigrant, rev. by John M. Gaus .. 135
Parker, David, rev. of Jenkinson, Manual of archive administration 673
Parties and party leaders, by Anson D. Morse, rev. by James P. Richardson .. 667
Partl, Vaclav, American influence on political thought in Czechoslovakia 448
Party battles of Jackson period, by Claude G. Bowers, rev. by P. Orman Ray. 668
Pennsylvania: Fiscal and administrative reorganization in, by Clyde L. King. 597
People and politics, by Solomon Bulkley Griffin, rev. by Samuel W. McCall... 481
Philippine government, by George A. Malcolm and Maximo M. Kalaw, rev. by W. W. Willoughby 655
Philosophy in the development of law, by Pierre de Tourtoulon, rev. by Floyd R. Mechem 114
Pluralism: a point of view, by George H. Sabine 34
Pluralism, Guild socialism and, by Ellen Deborah Ellis 584

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Political methods, Recent advances in, by Charles E. Merriam 275
Political platforms in Indiana, The influence of, on legislation, by Burton Y. Berry 51
Political research, Report of committee on 274–313
Political science as psychology, by Horace M. Kallen 181
Political science in the international field, by Pitman B. Potter 381
Political system of imperial China, The, by Harold Scott Quigley 551
Political thought, The nature of, by Raymond G. Gettell 204
Politics and progress, by Ramsay Muir, rev. by Guy Vaughn Price 665
Polk, James K., A political biography, by Eugene Irving McCormac, rev. by Edward E. Curtis 132
Pollock, James K., Jr., The constitution of Latvia 446
Porritt, Edward, The fiscal and diplomatic freedom of the British overseas dominions, rev. by Basil Williams 492
Porter, Kirk H., County and township government in the United States, rev. by A. C. Hanford 484
Potter, Pitman B., An introduction to the study of international organization, rev. by Francis B. Sayre 117
Foreign governments and politics 445–452
News and notes 453–476
Political science in the international field 381
Pound, Roscoe, An introduction to the philosophy of law, rev. by Floyd R. Mechem 114
Interpretations of Legal History, rev. by Walter F. Dodd 656
Presidential ballot, The, by Leon E. Aylsworth 89
Presidential Campaign of 1832, by Samuel Rhea Gammon, Jr., rev. by P. Orman Ray 668
Presidential government in Europe, Growth of, by Charles E. Martin 567
Price, Guy Vaughn, rev. of Muir, Politics and Progress 665
Price, Miles O., Government publications 546–549, 719–726
Problem of sovereignty, The, by S. A. Korff 404
Progress report of the committee on political research 274–312
Proportional representation 424
Psychology, Political science as, by Horace M. Kallen 181
Public opinion in war and peace, by A. Lawrence Lowell, rev. by W. W. Willoughby 313
Public utilities 419

Quigley, Harold Scott, The political system of imperial China 551

Racial history, of mankind, by Roland B. Dixon, rev. by Frederick Starr 675
Railroads: rates, service, management, by Homer B. Vanderblue, and Kenneth F. Burgess, rev. by Frank Haigh Dixon 325
Randolph, John, of Roanoke, by William Cabell Bruce, rev. by Bruce Williams 479
Rational basis of legal institutions, by various authors, rev. by Floyd R. Mechem 655
Ray, P. Orman, book review 668

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Recall 426
Rightor, C. E., Municipal street railway operation in Detroit 415
Recent advances in political methods, Charles E. Merriam 275
Recent aims and political development of Japan, by Rikitaro Fujisawa, rev. by R. L. Buell 660
Recent articles in foreign periodicals, by Leonard D. White, R. L. Buell and H. Havighurst 622
Recent publications of political interest 151–179, 354–379, 523–549, 697–726
Reed, Thomas H., Notes on municipal affairs 415–433
Reorganization of the administrative branch of the national government, by W. F. Willoughby, rev. by Lloyd M. Short 477
Representative modern constitutions, by Charles E. Martin, rev. by Herbert F. Wright 659
Rhodes, James Ford, The McKinley and Roosevelt administrations, rev. by Charles R. Lingley 317
Rihbany, Abraham Mitrie, Wise men from the east and from the west, rev. by Raymond L. Buell 496
Richardson, James P., rev. of Morse, Parties and party leaders 667
Robertson, W. S., History of the Latin American nations, rev. by C. H. Haring 133
rev. of Rowe, The federal system of the Argentine republic 134
Robinson, Howard, The development of the British empire, rev. by Adam Shortt 331
Rogers, Lindsay and Howard Lee McBain, The new constitutions of Europe, rev. by Arthur I. Andrews 125
Roosevelt administrations, The McKinley and, by James Ford Rhodes, rev. by Charles R. Lingley 317
Rosen, Baron R. R., Forty years of diplomacy, rev. by S. A. Korff 334
Round table conferences of Institute of Politics at first session, rev. by Quincy Wright 663
Rowe, L. S., The federal system of the Argentine republic, rev. by William Spence Robertson 134
Russia, book notices 341, 495, 507

Sabine, George H., Pluralism: a point of view 34
Salisbury, Life of Robert, Marquis of, by Lady Gwendolin Cecil, rev. by John A. Fairlie 328
Sawyer, Rollin A., Jr., Government publications 177–179, 378–379
Sayre, Francis B., Cases on labor law, rev. by John R. Commons 129
book review 117
Schofield, Henry, Essays on constitutional law and equity and other subjects, rev. by Robert Eugene Cushman 314
Settlement horizon, The, by Robert A. Woods and Albert J. Kennedy, rev. by John M. Gaus 135
Short, Lloyd M., rev. of Willoughby, The reorganization of the national government 477
Shortt, Adam, rev. of Robinson, The development of the British Empire 328
Shurtleff, Flavel, rev. of, Williams, The law of city planning and zoning 486

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Smith, Herbert Arthur, Federalism in North America, rev. by Quincy Wright. 650
Social history of the American negro, A, by Benjamin Brawley, rev. by Carter G. Woodson 137
Soul of an immigrant, The, by Constantine M. Panunzio, rev. by John M. Gaus 135
Spai ı, book notice 515
Spencer, Henry R., International politics and history 392
Spencer, B. C., Activities of the Colorado electorate 101
Starr, Frederick, rev. of Dixon, Racial history of mankind 675
State government, by Walter F. Dodd, rev. by Everett Kimball 324
State morality in international relations, by Bruce Williams 17
Steiger, G. Nye, book review 662
Story, Russell M., book review 495
Straus, Oscar S., Under Four Administrations: from Roosevelt to Taft, rev. by Charles R. Lingley 317
Swiss initiative vote of December 3, 1922, by Robert C. Brooks 445

Taxation, Per capita, in Michigan cities, by Josephine Hoyt 429
Taylor, Graham, rev. of Treat, Japan and the United States 135
Teaching of international law to law students, by Edwin D. Dickinson 464
Thomson, Gladys Scott, Lords lieutenants in the sixteenth century, rev. by E. P. Chase 672
Thompson, Walter, rev. of Macdonald, Federal subsidies to the states 652
Tourtoulon, Pierre de, Philosophy in the development of law, rev. by Floyd R. Mechem 114
Toynbee, Arnold J., The western question in Greece and Turkey, rev. by Raymond L. Buell 496
Treat, Payson J., Japan and the United States, rev. by Graham Taylor 135
Turner, Jennie McMullin, Democracy in administration 216

Under four administrations: from Cleveland to Taft, by Oscar S. Straus, rev. by Charles R. Lingley 317
United States and the league, The, by Thomas H. Dickinson, rev. by Frances E. Willis 500
University research and equipment, by Charles E. Merriam 308

Vanderblue, Homer B. and Kenneth F. Burgess, Railroads: rates, service management, rev. by Frank Haigh Dixon 325
Van Dyke, Paul, Catherine de Medicis, rev. by John Dickinson 674
Vermont, Constitutional amendments in, by Edmund C. Mower 72
Viallate, Achille, Economic imperialism and international relations during the last fifty years, rev. by Phillips Bradley 500

Webb, Sidney and Beatrice, English local government: statutory authorities for special purposes, rev. by William Anderson 487
Western question in Greece and Turkey, The, by Arnold J. Toynbee, rev. by Raymond L. Buell 496
Western races and the world, ed. by F. S. Marvin, rev. by Raymond L. Buell. 496

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

White, Leonard D., Recent articles in foreign periodicals. I. English..... 622
Whither France? Whither Europe?, by Joseph Caillaux, rev. by Frances E. Willis..... 500
Williams, Basil, rev. of Porritt, The fiscal and diplomatic freedom of British overseas dominions..... 492
Williams, Bruce, rev of Bruce, John Randolph of Roanoke..... 479
State morality in international relations..... 17
The Institute of Politics..... 643
Williams, Frank Backus, The law of city planning and zoning, rev. by Flavel Shurtleff..... 486
Willis, Frances E., book review..... 500
Willoughby, W. F., The reorganization of the national government, rev. by Lloyd M. Short..... 477
Willoughby, W. W., book reviews..... 313, 655
Wise men from the east and from the west, by Abraham Mitrie Rihbany, rev. by Raymond L. Buell..... 496
Wittke, Carl, rev. of Kennedy, The constitution of Canada..... 491
Woodard, Gertrude Elstner, Indexing statute law..... 79
Woodburn, James A., book reviews..... 319, 321
Woodruff, Clinton Rogers, rev. of Foulke, A Hoosier autobiography..... 131
Woods, Robert A. and Albert J. Kennedy, The settlement horizon, rev. by John M. Gaus..... 135
Woodrow Wilson and world settlement, by Ray Stannard Baker, rev. by R. L. Buell..... 120
Woods, Robert A. The neighborhood in nation building, rev. by John M. Gaus..... 502
Woodson, Carter G., rev. of Brawley, A social history of the American negro. 137
World politics, An introduction to, by Herbert Adams Gibbons, rev. by Francis B. Sayre..... 117
World settlement, Woodrow Wilson and, by Ray Stannard Baker, rev. by R. L. Buell..... 120
World war, book notices..... 512, 679, 682
Wright, Herbert F., rev. of Martin, Representative modern constitutions.. 659
Wright, Quincy, book reviews..... 650, 663
The control of foreign relations, rev. by John Dickinson..... 123
Ward, Sir A. W. and G. P. Gooch, ed. of The Cambridge history of British foreign policy, 1783–1919, rev. by W. L. Grant..... 122, 664

Yen, En Tsung, Open door policy, rev. by G. Nye Steiger..... 662

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED